

# RECORD COSTS: COLLATERAL CONSEQUENCES OF EVICTION COURT FILINGS IN PENNSYLVANIA

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## EXECUTIVE SUMMARY

This research documents the far-reaching collateral costs of eviction filings for Pennsylvania tenants and their families. We used mixed methods to collect and analyze qualitative and quantitative data on Pennsylvania tenants who experienced an eviction filing but attained a “best-case scenario” in court (i.e., secured legal representation and had their case resolved with a dismissal, withdrawal, or a win). The findings show that regardless of the outcome of a tenant’s case, eviction filings have severe consequences for nearly every aspect of life, negatively impacting the health, housing stability, and economic prosperity of tenants years beyond their court date. Punitive filing and landlord screening practices exacerbate the effects of Pennsylvania’s housing crisis, making it nearly impossible for tenants with eviction records to find safe, decent, and affordable housing for their families to live in. The long-term costs of eviction filings unjustly and disproportionately affect Black women and children. The cascading harm of the more than 114,000 eviction filings each year (310 per day) in Pennsylvania reverberates through families and communities and generates negative externalities for state and local governments. These costs are not inevitable. State legislators have the power to automatically seal eviction records and implement other policy changes that can promote the rights, stability, and livelihood of tenants across the Commonwealth.

## KEY FINDINGS

- **Eviction filings had far-reaching collateral costs for tenants and their families, often impacting their well-being and stability for years after the filing.** Records stemming from eviction filings, even when tenants’ cases were resolved with a neutral or favorable outcome, negatively impacted the quality and trajectory of their lives. Tenants described how their eviction filing threatened their immediate and long-term housing stability, contributed to income loss and job insecurity, harmed their physical and mental health, and strained relationships with family and friends.
- **Despite the court not formally evicting tenants, landlords still had the power to displace them.** Though participants in this study did not receive eviction orders in court, the majority said they were forced to move after their eviction filing for reasons beyond their control. Most attributed this to their landlords’ failure to make repairs, which rendered their units uninhabitable. Others had landlords who refused rental assistance during the COVID-19 pandemic, filed repeat eviction cases against them without cause, engaged in illegal discrimination and harassment, or enacted large rent increases.
- **Tenants with eviction records encountered punitive rental screening practices that prolonged housing instability and limited their housing options.** 8 in 10 participants said that their eviction

filing limited their future housing options. 65% of those who moved said a prospective landlord asked about their eviction record, and over half reported that a landlord explicitly denied their application because of their filing. Unsuccessful rental applications amounted to hundreds and, in some cases, thousands of dollars in excess costs to tenants.

- **Some tenants with eviction records moved into substandard or hazardous units in order to avoid or emerge from homelessness.** Roughly half of the tenants who moved after their eviction filing described a subsequent period of homelessness, which they mostly attributed to an inability to find alternative housing by the time their families were forced to move. The desperate need for a stable place to live led some to accept substandard conditions from landlords who would rent to them despite their records.
- **Tenants who stayed in their housing post-filing often lived in unstable or unhealthy conditions due to a lack of affordable alternatives.** Participants who remained in their housing were generally dissatisfied with their housing quality and endured persistent eviction threats. Most said they would move to a better housing situation if they could, yet the majority did not search. These tenants mostly lived in subsidized housing, and many anticipated challenges in securing new housing that met their affordability needs, particularly due to their filing records.
- **After their eviction filings, tenants were often less able to assert their right to habitable housing out of fear of retaliation.** 43% of participants reported being less willing to advocate for repairs post-filing. Multiple tenants in need of major health and safety repairs refrained from making requests to avoid conflict or the threat of eviction; this was especially common among participants whose landlords had retaliated against them in the past.

## POLICY RECOMMENDATIONS

Given the severe and lasting consequences of eviction records, Pennsylvania legislators have the opportunity and responsibility to pass policies that can stabilize communities, mitigate the lasting impacts of pandemic-era evictions, and pave the way for more equitable housing futures. State policymakers can act immediately to:

1. **Automatically seal eviction records from public view.** Pennsylvania lawmakers can pass legislation to automatically seal eviction records at the point of filing so they never enter the public record unless a court unseals them. To limit the impact of discriminatory screening practices on tenants' long-term housing stability, eviction sealing can hide records after a specified time period or once court criteria are met.
2. **Protect tenants' right to habitable housing.** Statewide anti-retaliation protections can help tenants assert their right to safe and habitable housing. Broader access to legal counsel in eviction court can help hold landlords accountable to health and safety laws, which courts and local governments should enforce.
3. **Implement upstream interventions to strengthen housing stability.** Pre-filing access to diversion resources can help landlords and tenants resolve disputes without the cost and complexity of a court proceeding and prevent the harm of an eviction filing on a tenant's record.



Eviction court filings remain public record indefinitely in Pennsylvania – even when the records are incomplete or inaccurate, even when the case was dismissed or withdrawn, and even when the tenant won in court. Regardless of whether a tenant violated their rental agreement or was evicted by court order, simply being named in an eviction complaint is enough to leave a permanent stain on a tenant’s record and trigger a cascade of collateral costs that can negatively impact a family’s housing stability, financial well-being, relationships, and health outcomes long term.<sup>1</sup> Since the onset of the pandemic, more than 357,000 tenant households throughout the Commonwealth have been burdened with an eviction record.<sup>2</sup>

Landlords increasingly rely on tenant screening companies and internet searches to apply blanket denials of applicants with eviction records, precluding their access to safe and stable housing.<sup>3</sup> Tenant screening firms use judicial case records and other information about prospective tenants to generate reports and make recommendations about whether a landlord should approve or deny an applicant. Research shows public case records frequently contain inaccurate and ambiguous information that can falsely represent a tenant’s eviction history.<sup>4</sup> Screening agencies often use error-prone name-matching techniques and opaque algorithm-based scores to render decisions. These practices prolong housing search periods and associated instability for tenants with eviction records, causing them to spend time and large sums of money on application fees or higher security deposits. Due to a lack of alternatives, tenants who are blacklisted from the rental market based on their eviction history are at risk of relocating to substandard housing in dangerous neighborhoods as a last resort to homelessness.<sup>5</sup>

Landlords’ use of tenant screening not only exacerbates housing instability, it also perpetuates housing discrimination, especially against Black and Latine women and children.<sup>6</sup> Because evictions are disproportionately filed against tenants of color, tenant screening policies that deny prospective applicants based on eviction records can have disparate impacts that some legal scholars argue violate the Fair Housing Act.<sup>7</sup> Households with children have evictions filed against them at twice the rate of households without children. Devastatingly, the demographic group most frequently impacted by eviction filings are children under 5, putting them at risk for food insecurity, exposure to environmental hazards, academic barriers, developmental challenges, and physical and mental health problems.<sup>8</sup>

Once a landlord files an eviction complaint in court, a record is created and remains public, regardless of whether the case goes before a judge or the court determines the tenant at fault.<sup>9</sup> Thus, a tenant’s eviction record is fundamentally a description of a landlord’s action (whether a landlord filed a case against a tenant) and not a tenant’s behavior (whether a tenant violated their lease agreement). Evidence from several jurisdictions shows that “no-fault” evictions – including cases filed when a landlord sells a property, undergoes foreclosure, or arbitrarily declines to renew a tenant’s lease – are common in eviction court and have increased since the COVID-19 pandemic.<sup>10,11,12</sup> Tenants may also be penalized for cases filed in error or without merit, as well as when they have won their cases, moved out, or otherwise resolved their disputes. Magisterial district court data shows that 1 in 5 landlord-tenant cases filed in Pennsylvania between 2015 and 2022 (excluding Philadelphia) were settled, dismissed, or withdrawn – but can nonetheless carry lasting consequences for tenants.<sup>13</sup>

Rising rents and stagnant wages have turned eviction into a routine process that affects large swaths of Pennsylvania's rental market. According to the most recent data available, Pennsylvania residents needed to work the equivalent of 130 hours per week at minimum wage to afford the average cost of a two-bedroom rental,<sup>14</sup> 45% of Pennsylvania renters had unaffordable housing cost burdens,<sup>15</sup> and 1 in 10 tenants making less than \$50,000 annually were behind on rent.<sup>16</sup> Despite the perception that evictions are primarily an urban issue, a 2023 analysis by PolicyLink and Community Legal Services shows that eviction filings are prevalent throughout the state, with the highest rates of eviction occurring in less populated, suburban jurisdictions.<sup>1</sup> During the COVID-19 pandemic, tenants' need for emergency rental assistance (ERA) far outpaced agencies' ability to administer the funds, leading many landlords to file for eviction after moratoriums were lifted.<sup>17</sup> Though ERA helped resolve many cases, pandemic-related hardships left a wake of eviction records that can impact tenants' housing prospects in perpetuity.

Growing evidence indicates that eviction filings are prone to abuse by landlords who use the court to facilitate debt collection. Studies from several jurisdictions show that while many landlords do file for eviction intending to remove tenants, others use eviction filings as a repetitive tool to collect rent, extract additional fees, or control tenant behavior.<sup>18</sup> Porton et al. (2021) analyzed 559,832 Pennsylvania eviction court records between 2011 and 2015 and found that 31% were serial cases where a landlord filed repeated claims against the same tenant at the same property.<sup>4</sup> In addition to the immense stress caused by repetitive court proceedings, serial eviction practices can leave tenants with lengthy eviction records that can make it difficult if not impossible to find more affordable or suitable shelter.

Punitive eviction filing and screening practices exacerbate the power imbalance between landlords and tenants.<sup>19</sup> Despite laws intended to protect against retaliatory evictions in Pennsylvania, landlords frequently file cases against tenants who withhold rent due to a landlord's failure to repair unsafe housing conditions.<sup>20</sup> Because there is no right to counsel in eviction court in Pennsylvania, most tenants defend their cases without the help of an attorney. Even if tenants are successful in court, they will emerge with a filing on their record. Landlords' power over tenants is emboldened when the mere filing of an eviction case can threaten a family's long-term stability. As a result, tenants may preemptively move out, tolerate unsafe conditions, or decline to exercise their right to a habitable unit, allowing landlords to act with impunity to rental laws and regulations.

Eviction records make permanent the unjust consequences of judgments entered against tenants "by default" when a tenant does not appear in court. Far from reflecting the outcome of a fair and balanced legal process, default judgments often reflect systemic barriers that limit tenants' access to the courtroom (e.g., lack of legal notice or inability to take off work, obtain child care, or access transportation to appear in court) or preclude tenants' meaningful courtroom participation (e.g., lack of access to legal counsel).<sup>21</sup> Studying eviction cases filed against more than 300,000 Philadelphians between 2005 and 2021, Hoffman and Strezhnev (2022) show that 40% of all cases ended in a default eviction judgment and find causal evidence that longer commute times significantly increased tenants' probability of receiving a default judgment.<sup>22</sup>

Eviction is not a discrete outcome that can be discerned by analyzing court records, but a multi-stage and often cyclical process with consequences that extend beyond court-ordered displacement.<sup>18</sup> Research shows the trauma of eviction-induced displacement can lead to job loss, school absenteeism, health deterioration, and suicide.<sup>23,24,25</sup> Yet even when a tenant is not formally evicted

by the court, studies indicate the mere threat of eviction can cause stress, disruption, and cycles of instability that can impact households for years to come. Richter et al. (2021) describe a “downward spiral of housing instability” that follows eviction filings, including a greater likelihood of having to move and stay in homeless shelters among households who avoid an eviction order.<sup>26</sup> Research associates the threat of eviction with elevated risk for mental health problems like anxiety and depression.<sup>27</sup> Further, researchers observed a significantly increased risk of death among tenants who had an eviction filed against them during the COVID-19 pandemic.<sup>28</sup>

This report documents the collateral costs of eviction court filings to tenants in Pennsylvania. We used concept mapping and semi-structured surveys to collect and analyze qualitative and quantitative data on Pennsylvania tenants who experienced an eviction filing but who attained a “best-case scenario” in court (i.e., secured legal representation and had their case resolved with a dismissal, withdrawal, or a win). The results of this report suggest that eviction records are not merely a reflection of renters’ instability — they are also a cause of it. After describing the far-reaching and multidimensional costs of eviction filings identified by tenants, we conclude with recommendations for how Pennsylvania decision-makers can implement immediate policy changes to mitigate the harm of eviction records and support the health, economic well-being, and housing stability of residents across the Commonwealth.

## METHODS

This study involved two methods: concept mapping and surveys. Concept mapping is a participatory, mixed-method approach that merges qualitative data collection with quantitative analysis to generate visual representations of a given concept<sup>29</sup> — in this case, the costs and impacts of eviction filings as described by tenants.

Study participants included tenants who had an eviction case filed between 2019 and 2023 and who received legal aid services in Pennsylvania. In an attempt to disentangle the costs of an eviction case filing from negative case outcomes (i.e., eviction judgment or order for possession), we recruited participants who had their case resolved with a neutral or favorable outcome (i.e., a dismissal, withdrawal, or win).

Concept mapping consisted of two sessions: 1) generation of statements, and 2) structuring of statements. In the first session, generation of statements, we asked participants to complete a brainstorming activity guided by the following focus question: Since your landlord filed an eviction case against you in court, what have been some of the costs or losses impacting your or your household’s well-being? We held five sessions (in-person and online) to accommodate participant schedules.

We defined the term “well-being” to encompass any physical, mental, social, emotional, financial, environmental, or other living condition that impacts one’s quality of life. Participants were reminded of the landlord and address associated with their eviction filing and asked to consider only that filing’s consequences. Participants took turns listing costs and losses that they experienced post-filing, while

we compiled a list of their contributions and asked clarifying questions. We concluded the sessions once participants had no additions to make to the list. Afterward, we reviewed the lists of responses from each session, making edits and grouping similar statements together to create a final list of 55 impact statements.

The second session, structuring of statements, included two activities: 1) sorting, and 2) rating. We conducted four in-person sessions roughly four weeks after the first session. Participants did not have to complete the first session to participate in the second. During the sorting activity, we asked participants to categorize cards containing the impact statements into piles that “made sense to them.” In the rating activity, we presented the list of statements and asked participants to assess the level of impact it had on them and their households using a Likert-type scale (0: not applicable; 1: not very impactful; 2: somewhat impactful; 3: very impactful).

After we completed concept mapping with clients of Community Legal Services in Philadelphia, we recruited additional participants from Legal Aid of Southeastern PA, Neighborhood Legal Services Association, MidPenn Legal Services, and North Penn Legal Services. This enabled us to reach a larger group of tenants that were more representative of experiences across Pennsylvania. These participants completed the rating activity via phone.

Although we instructed tenants to think about the filing itself when generating statements and rating their level of impact, participants who were forced to move after the filing could not fully differentiate between the impact of the eviction filing and the impact of displacement. After completing the concept mapping activities, we obtained additional information about participants’ previous and current housing situations via phone surveys. We also collected demographic information. Concept mapping sessions took place in November and December of 2023 and surveys were conducted between February and April 2024.

We analyzed concept mapping data using the Concept Systems GroupWisdom™ platform. We identified major themes that emerged from the concept mapping and survey results and present them below. Participant vignettes help illustrate these themes throughout this report; we use pseudonyms to protect participants’ identities.

## FINDINGS

### PARTICIPANTS AND CASE INFORMATION

A total of 29 participants took part in the study (15 participants attended the synchronous concept mapping sessions and 28 completed the rating activity and phone survey).<sup>30</sup> Participants were a median age of 37 years old, mostly women (83%), and predominantly Black/African American (72%) and/or Latine (14%). The median household size was three people, and 55% of households included at least one child. Participants had a household income of approximately \$2,600 a month or an estimated \$31,800 per year.

All participants had an eviction filing against them in the past five years, with most (71%) experiencing a filing in 2022 or 2023. Court cases lasted an average of 92 days from filing to outcome. All had attained neutral or favorable outcomes in court: 23 had their case withdrawn, three had their case dismissed, and three won a judgment in their favor. Most participants' landlords filed for nonpayment of rent.

At the time of their eviction filing, participants reported a median rent of \$900. Most (61%) said their rent was not subsidized (Section 8 or public housing). Court records showed that roughly one-third (31%) of participants had at least one other eviction case filed against them prior to the filing we asked them to focus on for this study; these cases had typically been brought by the same landlord.

About two-thirds (69%) of participants had since moved from the property where their landlord had filed to evict them, while the rest remained living in the same properties. At the time of data collection, most (74%) of those who moved rented at another property, 20% lived in a temporary or unstable housing situation (i.e., living in a shelter, doubled-up in another family's housing, or rotating stays with family/friends, etc.), and one person became a homeowner. Those who stayed in the property where their eviction filing took place all remained renters.

Despite the recorded outcomes in their eviction cases, 89% of participants who moved agreed with the statement: "I was forced to move." Tenants who moved often expressed that their circumstances gave them "no other choice."

The most common reason for tenants' forced moves was their landlords' failure to make repairs, which rendered their units unsafe or uninhabitable; some lived with mold, roach, and mice infestations, electrical hazards, or no heat or running water. Many left because their housing conditions were dangerous for their children. 1 in 4 participants faced eviction after withholding rent for repairs. Remarking on the unfairness of this, one tenant stated: "We get an eviction record when the landlord hasn't fixed the place."

Others said their landlord raised the rent significantly or refused to accept rental assistance funds that would have paid off their debts. Several described prolonged periods of harassment or hostile relationships with their landlord that made them feel unsafe or uncomfortable in their homes; in some cases, this involved their landlord filing repeat cases against them in court. At least one tenant was illegally evicted by force. Another described her landlord engaging in sexual harassment; eventually, he threatened to evict her if she refused to have sex with him, resulting in him filing a case against her in court.

The circumstances that participants described leading to their eviction filings – including prolonged pandemic-related hardships, slum conditions prompting them to withhold their rent, and their landlords' illegal behavior or serial filing practices – revealed that there was often much more to their stories than simply the nonpayment of rent. Some of these circumstances are exemplified in **Vignette 1**.



“[W]hen we go to find new housing, we can’t because we have these [filings] on our records, and that’s wrong ... I won a case, I won a few cases as a matter of fact, and it’s still following me, why?”

The conditions in Charla’s rental home in southeastern Pennsylvania were not safe for her three children. After her landlord failed to repair holes in the floors and leaks that caused the ceiling to cave in her daughter’s bedroom, she escrowed her rent. The second time this happened, the health department became involved. Each time Charla withheld her rent, her landlord filed an eviction case against her for nonpayment of rent.

Though she won both of her court cases, she was forced to remain in poor housing conditions as she searched for housing but was repeatedly denied. Landlords asked about her eviction history and some denied her explicitly because of her record. She thinks she applied to about 50 places and spent at least \$2,000 on unsuccessful application fees. During this time, she developed stress-related medical conditions and was in and out of the hospital.

“The system failed us,” Charla stated. “[Landlords] put us in situations where we have to move because they don’t want to make repairs. Then they take us to court and try to make it seem like it’s all our fault.”



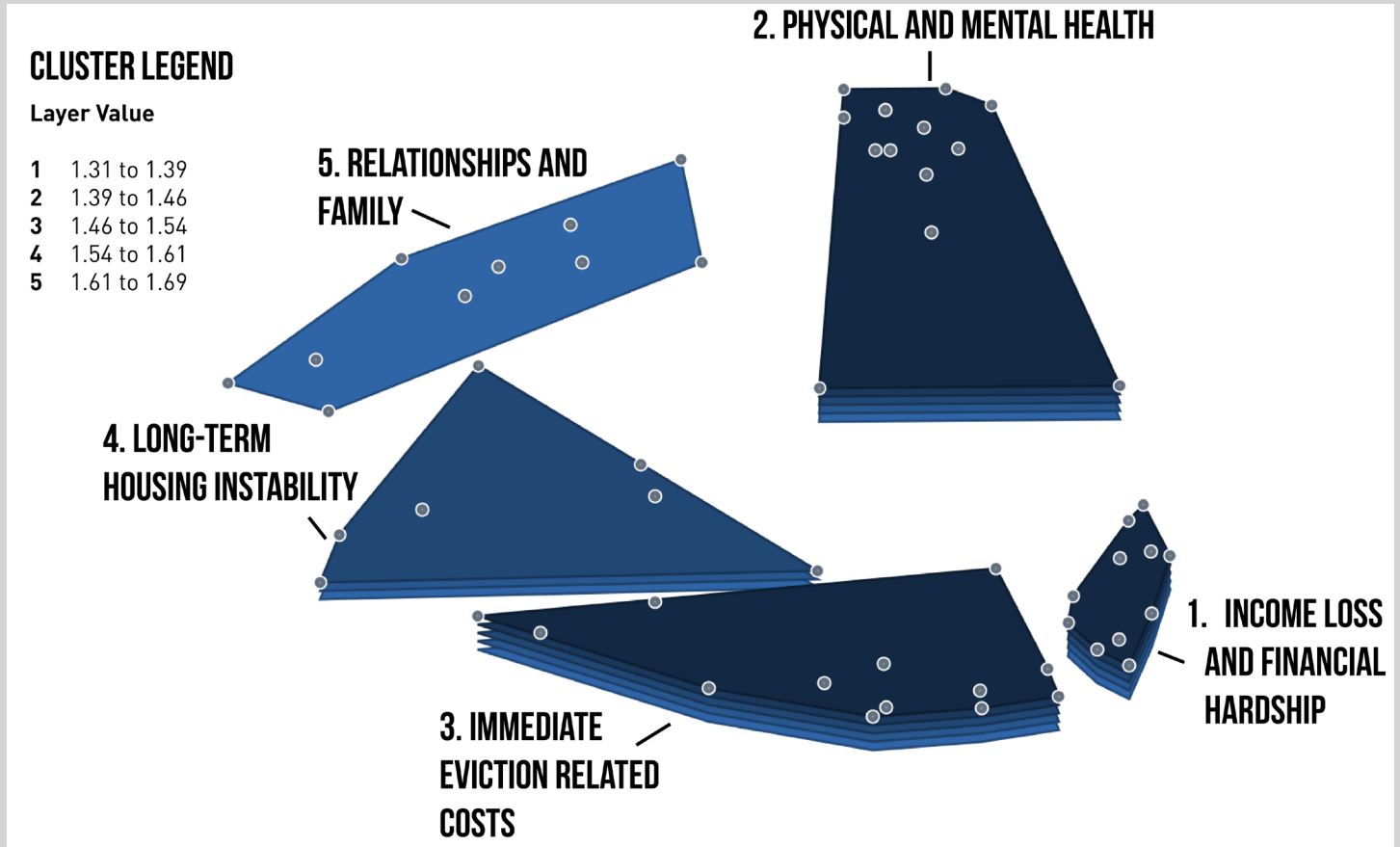
## COLLATERAL COSTS OF EVICTION FILINGS

In the concept mapping, participants described the collateral costs of their eviction filings in 55 unique statements (See **Appendix** for a full list of statements by impact). These statements (identified as points) were grouped into five clusters representing the following themes: income loss and financial hardship, physical and mental health, long-term housing instability, immediate eviction-related costs, and relationships and family (**Figure 1**).

Participants rated clusters representing income loss and financial hardship, physical and mental health, and immediate eviction-related costs as having the greatest impact. The top-rated statements for each of the clusters are included in **Table 1**.

The average impact ratings varied between groups of participants, indicating different degrees of disruption depending on whether a tenant was displaced as a result of their filing. For example, the most salient cluster for tenants who moved post-filing (immediate eviction-related costs) is the lowest-rated for tenants who stayed and avoided displacement-related costs. On average, participants who moved reported higher impact ratings across all five clusters relative to those who stayed in their housing (**Table 2**).

**FIGURE 1. CLUSTER RATING MAP**



This map shows relationships among the 55 statements that participants generated during the first concept mapping session, which are depicted as points. The distance between points illustrates the degree of similarity between statements based on the thematic groupings that participants developed in the second session. Each of the clusters represents a distinct theme identified by participants. Clusters with more layers (and darker shading) indicate a greater level of impact as rated by participants.

**TABLE 1. AVERAGE IMPACT RATING AND TOP-RATED STATEMENTS FOR EACH CLUSTER**

	Average Impact Rating
<b>Cluster 1. Income Loss and Financial Hardship</b>	<b>1.69</b>
Disrupted the ability to save money	2.37
Made it harder to pay other necessary bills (e.g., utilities, insurance); and Threatened financial independence	2.07
Prolonged financial hardship (e.g., COVID-19 hardship)	2.04
<b>Cluster 2. Physical and Mental Health</b>	<b>1.62</b>
Impacted sleep and the ability to feel well-rested	2.56
Caused/worsened stress, depression, or anxiety	2.52
Caused feelings of shame/embarrassment	2.22
<b>Cluster 3. Immediate Eviction-Related Costs</b>	<b>1.62</b>
Used time and energy obtaining legal assistance and other resources	2.41
Spent time and energy attending court hearings	2.22
Required submission of multiple rental applications and application fees	1.96
<b>Cluster 4. Long-Term Housing Instability</b>	<b>1.49</b>
Required disclosure and explanation of eviction history to prospective landlords	1.93
Limited future housing options (in terms of quality, cost, and/or neighborhood)	1.89
Caused people to be denied housing	1.56
<b>Cluster 5. Relationships and Family</b>	<b>1.31</b>
Caused withdrawal from relationships and community	1.81
Disrupted sense of security or safety at home	1.70
Impacted relationships with family and friends	1.67

Note: Participants rated each statement and cluster on the following scale: 0, not applicable; 1, not very impactful; 2, somewhat impactful; 3, very impactful.

**TABLE 2. AVERAGE CLUSTER IMPACT RATINGS BY DISPLACEMENT OUTCOMES**

Cluster	Average Impact Rating	
	Moved	Stayed
<b>1. Income Loss and Financial Hardship</b>	1.84	1.37
<b>2. Physical and Mental Health</b>	1.76	1.35
<b>3. Immediate Eviction-Related Costs</b>	2.00	0.86
<b>4. Long-Term Housing Instability</b>	1.63	1.21
<b>5. Relationships and Family</b>	1.43	1.08

## **EVICTION RECORDS LIMIT FUTURE HOUSING OPPORTUNITIES**

Most participants (78%) said that their eviction filing limited their future housing options in terms of quality, cost, or neighborhood.

Among participants who searched for housing after their eviction filing, 65% said a prospective landlord asked about their eviction record and 85% had at least one application denied. Half of this group had at least one landlord say their application was denied because of the tenant's eviction filing record; the remainder could not be sure, but most suspected that their eviction history played a significant role.

Given the successful outcomes in their cases, participants were dismayed that landlords had the power to deny them housing even though the court never issued a judgment against them. Many did not realize they had an eviction record until it became a barrier to their housing search. Some provided additional documents, asked their attorneys to write letters, or explained the circumstances of their case to prospective landlords in an effort to be approved, with little success. As one tenant described:

A lot of applications say that if you've been to court, whether they find an eviction or a dismissal, they will automatically disqualify you. ... [A] lot of people don't want to hear your backstory. They just see that you went to court and they think you are going to be a problem.

Participants described costly housing searches. More than half of those who searched for housing submitted at least 10 applications, reporting a typical fee of \$50 per application. On average, tenants who moved spent \$650 on rental application fees, with some spending thousands during their search. These and other fees exacerbated and prolonged tenants' economic hardships. Several said it was common to submit an application and not receive any follow-up, and they suspected some landlords were exploiting the search process for profit. "I found out that there is a lot of scams out there when renting. ... A lot of places were just looking for an application fee. ... They wouldn't get back after the application fee was done," one person said.

One participant described a housing search as so onerous that "it was like a full-time job." Multiple tenants could not secure housing until a friend or family member applied on their behalf. The futility of some participants' search led them to give up; as one tenant explained: "I am strongly discouraged looking for a place even though the case has been dropped because I know [the filing] is there and it can lessen my chances of getting approved for another place. ... I don't want to waste my money trying."

## **EVICTION RECORDS KEEP TENANTS STUCK IN UNSTABLE AND UNHEALTHY HOUSING**

Among participants who remained in their properties, most experienced persistent eviction threats as well as poor, and sometimes dangerous, housing conditions that jeopardized their stability. Tenants explained that they stayed in these conditions due to a lack of affordable alternatives and the perception that their eviction record would further limit the opportunities available to them.



Among participants who remained in the housing where their eviction was filed, two-thirds had lived in their homes for six years or more. Nearly all (8 of 9) were receiving a rental subsidy or residing in public housing, compared to 28% of participants who moved post-filing. Despite the lingering impact of their eviction filings, some felt that being a long-term tenant afforded them a certain degree of stability. “I’ve been with them for so long. They don’t wanna lose me, and I don’t wanna lose them,” one person said. Participants described informal payment plans to “chip away” at balances and acceptance of what they can and cannot expect from their landlords regarding repairs.

Nearly half of this group reported that their current housing was unstable or unhealthy. Though they stayed in their housing for affordability reasons, several participants struggled to keep up with their housing costs. One tenant explained, “Affordable options are not affordable enough.” Two-thirds of participants who stayed faced another eviction threat (e.g., a verbal warning or formal notice) since the filing, suggesting a cycle of instability for renters with low incomes. Even when tenants were not threatened with eviction, some still felt at risk. As one tenant explained, “Once there’s an emergency, you’re always going to feel that looming over you.” Though court involvement helped some tenants secure long-awaited repairs from their landlords, others were left with the same poor conditions (e.g., leaking roof, mold, pests) once the eviction filing was resolved.

All tenants who stayed said they would move to a better housing situation if they could. Though this group avoided displacement-related costs, the majority said their eviction record informed their decisions about moving and household composition (i.e., how many people they would live with). Only one participant who remained in their housing had searched for new housing since their filing; this person felt trapped in bad conditions and feared her family would be kicked out at any moment, but she had been denied by multiple prospective landlords (**Vignette 2**). The rest of this group cited income constraints and scarce affordable housing options as the reasons they have not attempted to move, compounded by fears about being screened out of housing due to their eviction filing records. One participant reflected on this concern: “It’s a red flag for them. That’ll stop you from being able to live anywhere ... or they’ll hike up the rent on you.” Challenges impacting tenants who stayed in their housing are exemplified in **Vignette 3**.

## **HOMELESSNESS, RENT INCREASES, AND HOUSING OF LAST RESORT**

Nearly half (47%) of tenants who moved post-filing described a subsequent period of homelessness, which they mostly attributed to an inability to find alternative housing by the time they were forced to move. This caused people to live in cars, shelters, and hotels and to double up with friends and family. For some, these periods of instability lasted for a few weeks, but for others, it was several months and, in several cases, longer than one year. At the time of data collection, 10% of participants who moved lacked a place with a private bedroom where they could reliably stay seven nights a week consecutively for the next 30 days.

Tenants who moved and continued to rent after their eviction filing experienced a median rent increase of \$175, or on average, a 29% increase from their prior rental costs. Seventy-five percent of this group had unaffordable rent burdens and one-third described their housing as unstable or unhealthy. One-third also experienced a subsequent eviction threat since relocating to new rental housing.

Long and costly housing searches led some tenants to move into substandard or dangerous units in order to secure some semblance of stability. After enduring a year of homelessness with her kids, one participant described how she “had to look for a slumlord, essentially” to rent to her despite her record. After being forced out of housing that was unsafe for his son, having 10 rental applications denied, and finally moving into his current unit, another tenant encountered even worse conditions with “the water, the heating, everything.” One tenant explained how the desperate need for a stable place for her family led her to move into a house with rotting floors, pests, and a lack of heat:

It’s not at the quality level I would expect ... [but] I couldn’t find a place. ... I wouldn’t have normally taken this, but he was willing to give me a two-year lease. ... It’s not a desirable situation but you know, you have to take what you can to survive.

## “It’s almost as if I’ve been punished for ... standing up for myself [and my family].”

### VIGNETTE 2

Sandra lives with her partner and their four children. After refusing to accept their rent payment, her landlord filed an eviction case for nonpayment of rent. The day after Sandra won her case, the landlord illegally locked her family out of their home.

They still live in the same home, where their landlord has repeatedly harassed, intimidated, and called the police on them. They have engaged in an extensive housing search, but prospective landlords have all denied their applications: “1,000% I think the eviction filing is preventing us from getting approved.” Because they fear being kicked out at any time, the family has been living with their things packed away or in storage.

During this time, the stress of the eviction filing has exacerbated Sandra’s health challenges and threatened her job stability as a teacher. She explained, “I had multiple write-ups [at my job] because I had to go to court or else I wouldn’t have a place to stay. If I didn’t go to court I would get penalized, and if I didn’t go to work I would be penalized.”

She is most concerned about the consequences for her children, stating, “The fact that my kids had to witness this ... It’s not just my story, it’s theirs also, and that is what pains me.”



About half of the tenants who moved from the housing where they received an eviction filing said they were satisfied with their current residences. While some of these satisfied tenants described living in good-quality units with responsive landlords, others derived satisfaction from the relative stability they experienced compared to their previous housing conditions and landlords, even when their new circumstances were not ideal. One participant who won her court case described her landlord filing nine cases against her for rent she had paid on time, stating: “I felt like I had PTSD staying in that

house. He kept putting notices on the door. ... I just wanted to be gone.” Another tenant described her housing as feeling “like a palace” compared to being homeless, despite the fact that she needed to pay a double security deposit to move in and was spending her own money on repairs.

## FEAR OF RETALIATION AND REPAIR ADVOCACY POST-FILING

After facing an eviction filing, tenants were often less comfortable asserting their right to habitable housing; this was especially common among participants whose landlords had retaliated against them in the past. When asked, 43% of participants reported being less willing to advocate for home repairs post-filing. Multiple tenants in need of major repairs refrained from making requests to avoid conflict or the threat of eviction. Reflecting on the prior experience with her landlord, one tenant expected that requesting repairs would end up “blowing up in [her] face.”

One tenant explained:

I’m afraid they’ll look at it as if I damaged it and then have more reasons to get rid of me. ... [Also] they’re not going to do anything about it. They are more concerned about the money they get, rather than making sure people can live comfortably.

Some navigated this by paying for repairs themselves, which added to their housing costs. One tenant explained, “It makes me very nervous [to ask for repairs]. ... I’d rather pay to get something fixed by myself than rock the boat.”

## “Why does the filing stick if the landlord didn’t follow the process?”

### VIGNETTE 3

Linda is a single mom living with her two kids. She has been a tenant at the same property for several years and receives a rental subsidy that makes her housing affordable. Prior to her eviction filing, she requested necessary health and safety repairs. Her landlord made the repairs but, without notifying Linda, added the cost of the repairs onto her rent. She was unaware she had accumulated an unpaid balance for these repairs until an eviction was filed against her in court for a balance of just over \$300.

The filing caused Linda stress and anxiety, and she feared the impact that displacement could have on her kids. She spent time obtaining legal assistance and preparing for the case, but her landlord failed to appear in court and the case was ultimately withdrawn. She decided to remain in her current housing, hoping to save up and move her family somewhere better in the near future. She feels stuck in poor conditions because of her financial situation and worries that having an eviction filing record may limit her housing prospects.



Multiple participants stated that they learned from past rental experiences that they had to be assertive with their landlords to secure repairs. Despite facing retaliation in the past, one tenant stated, “I am still going to complain. That’s the only way we get what we need.” Some felt empowered with information about landlord-tenant rights or lost patience for landlords who failed to provide habitable conditions. Explaining how she felt justified holding her landlord accountable for making repairs after he had filed for eviction against her, one tenant explained, “If I don’t get grace, you don’t get grace.”

Participants reflected on the role of power and profit in their landlords’ routine failure to provide adequate housing conditions. One tenant advocated for stronger housing code enforcement, saying, “If I drive down the street and I don’t have insurance and I get pulled over, I get a ticket. ... If [landlords] want their money, which they are entitled to, they should provide housing in living quality.” Another found herself trapped in poor-quality rental housing; after withholding rent for repairs led to an eviction filing and a period of homelessness, she moved into housing with a mice infestation and another landlord who “doesn’t give a damn.” Reflecting on this cycle, she stated, “Landlord greed came before [the] safety of my family ... and now it’s happening again.”

## **EVICTION FILINGS THREATEN ECONOMIC WELL-BEING**

Participants faced extensive immediate costs as a result of their eviction filings – costs associated with the court process, housing searches and relocation, and temporary living situations. Tenants devoted time and energy to accessing legal aid and other resources (e.g., rental assistance) and attending court hearings. In addition to navigating stressful and drawn-out proceedings, some tenants spent additional money on child care and transportation costs in order to attend their hearings. One participant explained, “I couldn’t continue my day-to-day life.”

Many participants experienced threats to their job stability in the wake of their eviction filing, explaining that court involvement threatened their work attendance and performance. This resulted in reduced wages, lost time-off benefits, and in some instances, job loss. Some participants said they needed to find a second job or side hustle or – more rarely – engage in illegal behavior to come up with enough money to avoid a judgment or housing loss.

This threat to employment had cascading consequences for some, who fell into a cycle of financial instability after their eviction filing. Several reported difficulty paying for basic necessities, covering emergency costs, and retaining access to their public benefits (e.g., food stamps). For the majority of concept mapping participants (85%), saving money became impossible during their eviction case, particularly for those who were working to pay off unpaid balances and/or cover the costs of obtaining new housing. Many participants said their eviction filing prolonged and exacerbated economic hardship caused by the COVID-19 pandemic (i.e., job loss led to an eviction filing, which made it more difficult to search for a new job).



## CASCADING CONSEQUENCES FOR HEALTH AND RELATIONSHIPS

Whether they were forced to move or remained in place, eviction filing-induced stress eroded participants' physical and mental health. All concept mapping participants said their eviction filing "caused or worsened stress, depression, or anxiety." Many participants explained that their eviction filing impacted their ability to focus and caused feelings of isolation and shame, while some were also reminded of traumatic displacement experiences from their past. Most expressed that they were unable to problem solve or cope with other stressors that arose in the time surrounding their eviction filing, intensifying the disruption they faced.

Participants experienced difficulty taking care of themselves while navigating the threat of housing loss. Most described changes to their appetite and weight, and nearly all participants said their eviction filing "impacted sleep and the ability to feel well-rested." Many faced disruptions to routine medical care for themselves and their dependents, experienced worsened pre-existing conditions, and noticed delayed healing from injury and illness.

For many participants, the fallout of their eviction filing also impacted interpersonal relationships and household dynamics. Most described strained relationships with romantic partners, family members, or friends as well as withdrawal from communities and social support networks. This was particularly salient for participants who are parents and caregivers, who described pressure to protect their dependents from housing-related stress. Many parents acknowledged disruptions to routines and school attendance, reduced family time and play, and increased anxiety among their children.

Among some participants, particularly those who experienced a period of homelessness post-filing, children and other dependents (e.g., elders) had to move in with family members or to care facilities. The fear of Department of Human Services (DHS) involvement or removal of children from parents' custody impacted nearly one-third of participants, creating increased urgency to find any housing they could. Further, some participants returned to abusive or otherwise unsafe relationships to secure housing for themselves and their families. Some of these costs are exemplified by **Vignette 4**.

## “I really want to see what it takes to get this filing off my report. At this point, it’s old and it’s closed out, dismissed. Why didn’t it come off when the case closed out?”

Corinne is a single mom who lost her job during the COVID-19 pandemic. Although the eviction case filed against her was withdrawn and she received rental assistance that should have helped her remain housed, her landlord refused to renew her lease and she was forced to move. At the time of data collection, she had spent the last 14 months searching for housing for herself and her daughter while living doubled-up with her parents.



Corinne spent significant time and money applying for new housing, but expressed that the eviction filing is impacting her approval odds. “They said they saw that I had a filing and they wanted to know what it was for. ... Even though I explained the situation ... a lot of people are skeptical,” she said.

The eviction filing and its enduring consequences have interfered with Corinne’s ability to find work, feel financially independent, and recover from the pandemic. The forced move away from her neighborhood has disrupted her daughter’s routine, including her access to education and medical care, which prompted DHS involvement. The change in her address even caused her to lose access to public benefits. This chronic stressor has impacted her appetite, sleep, and mood while causing stress and anxiety for her young daughter.

## POLICY IMPLICATIONS

This report documents the far-reaching collateral costs of eviction filings for Pennsylvania tenants and their families. These results show that even in a “best-case scenario,” the eviction court system has severe consequences for nearly every aspect of life and negatively impacts the health, housing stability, and economic prosperity of tenants years beyond their court date. Punitive filing and landlord screening practices exacerbate the effects of Pennsylvania’s housing crisis, making it nearly impossible for tenants with eviction records to find safe, decent, and affordable housing. The long-term negative consequences of eviction filings unjustly and disproportionately affect Black and Latine women and children. The “invisible punishments”<sup>31</sup> that befall tenants with an eviction record are not exceptional, but the routine consequence of eviction court proceedings that impact over 114,000 Pennsylvanians each year.<sup>2</sup>

Eviction records constrain already-scarce opportunities for safe and affordable housing available to low- and moderate-income renters. Regardless of their outcome in court, tenants who searched for new housing after their eviction filing frequently encountered landlords who refused to rent to

people with any eviction record. Tenants were forced to endure periods of homelessness, accept new housing with substandard conditions, or remain in housing that was unhealthy and unstable. These circumstances often catalyzed a downward spiral of housing instability that impacted tenants' ability to work or go to school, care for their families, and maintain their health. These findings reflect an "illusion of choice" available to renters confined to dangerous housing at the bottom of the rental market.<sup>32</sup> They also echo previous research indicating that eviction is not just a manifestation of poverty and instability, but also a cause of it.<sup>33</sup>

Landlords' eviction filing and screening practices also reinforce their power over tenants. Despite the court not formally evicting tenants or determining them at fault in their case, most tenants were forced to move from their housing for reasons beyond their control. Many landlords acted with impunity for rental laws. When tenants sought to assert their rights, they often faced a double burden; first their eviction filing, then the corresponding record that confined them to housing in poor conditions. Beyond the costs paid by tenants in court fees, time, energy, lost wages, and impaired well-being, tenants with eviction records were vulnerable to exploitation in the form of expensive application fees, move-in costs, rent increases, and neglected repairs. These costs place an unfair burden on tenants who experienced eviction filings as a result of missed rent payments due to unaffordable housing cost burdens, hardship, or economic fallout from the pandemic and are especially egregious for tenants who were filed against without cause or prevailed in eviction court.

Safe and secure housing is a foundation for stable, thriving communities. State and local governments end up footing the bill for the far-reaching consequences of eviction – but only after young children, Black women, and other marginalized tenants pay the first and highest costs. The negative impacts of eviction are not inevitable. A better housing future is possible. Pennsylvania decision-makers have the power to implement immediate policy changes that can mitigate the harm of eviction records and support the stability and vitality of residents across the state.

## **AUTOMATICALLY SEAL EVICTION RECORDS FROM PUBLIC VIEW**

Eviction record sealing is an immediate and effective tool to promote renter stability and pave the way for more equitable access to housing throughout the Commonwealth.<sup>34</sup> Due to the severity of the eviction crisis, significant inaccuracies in eviction court data, and the ubiquity of eviction screening practices, 12 states have passed policies that limit public access to eviction records or regulate the way landlords can consider eviction histories in tenant screening. While attempts to restrict landlords' consideration of eviction records in housing decisions are well-intentioned, they are nearly impossible to enforce. This makes eviction record sealing a housing justice policy priority, with evidence indicating that automatic record sealing has a positive impact on renter stability, without adding a large burden to court systems or lawyers.<sup>35</sup>

Laws that automatically seal eviction records at the point of filing assure that eviction information never enters the public record unless certain criteria are met and a court unseals the record. Because tenant screening companies can scrape eviction records as soon as the information is public, sealing at the point of filing is the most effective approach to limiting unfair tenant screening practices, especially in cases filed by landlords in error, without standing or cause, or result in

dismissal, withdrawal, or a judgment in favor of the tenant. Numerous legal scholars and the American Bar Association argue in favor of sealing policies that do not release information unless and until a landlord prevails and an order of possession is entered; however important, these policies can still punish tenants who experience unaffordable rent burdens or hardship, default judgments, or lack access to legal counsel.<sup>36,37</sup> This is partly why eviction record sealing can and should work retroactively, sealing records after a certain time period has passed, once judgments are satisfied or set aside, and if a case was filed during a crisis, such as the COVID-19 pandemic. Eviction sealing policies should also prohibit the sale of eviction information to third parties. Just as Pennsylvania's Clean Slate legislation has enabled people with criminal records to access housing and life opportunities they deserve, so too can eviction record sealing.<sup>1</sup>

## **PROTECT TENANTS' RIGHT TO HABITABLE HOUSING**

Lawmakers can enact policies that provide equal protection to renters and prevent unjust evictions.<sup>19</sup> Currently, there is no law in Pennsylvania that prohibits landlords from retaliating (i.e., filing for eviction) against tenants who exercise their right to a habitable unit.<sup>38</sup> Research shows that rental code enforcement in low-income housing markets is under-resourced and greatly insufficient, and courts allow landlords to file for eviction even when their units are not in compliance with local health and safety ordinances.<sup>12</sup> Legislators can establish a statewide anti-retaliation law so tenants have the legal protections they need to assert their rights and protect their families. However, even in jurisdictions where retaliation protections exist, many tenants still report they are afraid to report code violations.<sup>39</sup> In addition to stronger enforcement by courts and local governments, broader access to legal counsel in eviction court can help hold landlords accountable to anti-retaliation protections and health and safety laws.

## **IMPLEMENT UPSTREAM INTERVENTIONS TO STRENGTHEN HOUSING STABILITY**

Stronger, earlier intervention is needed to prevent landlords from using the court system as a venue for debt collection and conflict resolution at the expense of tenants' well-being. Building on policy advancements implemented during the COVID-19 pandemic, lawmakers can establish and invest in eviction diversion resources that help landlords and tenants resolve disputes and satisfy rental debts before an eviction is ever filed in court. Such programs have been successful in reducing eviction filing rates.<sup>40</sup> Another way to prevent eviction filings is to pass policies that require landlords to justify their eviction action with a substantive cause.<sup>41</sup> Ultimately, to stem the tide of eviction filings in the Commonwealth, tenants must have access to safe, stable, and permanently affordable housing.



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## APPENDIX - STATEMENTS BY AVERAGE IMPACT RATING

Impact Statement	Average Rating
Impacted sleep and the ability to feel well-rested	2.56
Caused/worsened stress, depression, or anxiety	2.52
Used time and energy obtaining legal assistance and other resources	2.41
Disrupted the ability to save money	2.37
Spent time and energy attending court hearings	2.22
Caused feelings of shame/embarrassment	2.22
Interfered with problem-solving and ability to cope with stressors	2.11
Made it harder to pay other necessary bills (e.g., utilities, insurance)	2.07
Threatened financial independence	2.07
Impacted appetite/caused weight changes	2.04
Prolonged financial hardship (e.g., COVID-19 hardship)	2.04
Informed decision-making about moving/household composition	2.00
Impacted the ability to cover unexpected or emergency costs	2.00
Caused feelings of isolation or loneliness	1.96
Required the submission of multiple rental applications and application fees	1.96
Required disclosure and explanation of eviction history to prospective landlords	1.93
Paid moving costs/relied on friends to help move	1.93
Limited future housing options (in terms of quality, cost, and/or neighborhood)	1.89
Disrupted care routines/the ability to take care of oneself	1.89
Caused withdrawal from relationships and community	1.81
Took time off work for court hearings (i.e., lost wages, used PTO)	1.70
Needed to get a second job/a side hustle	1.70
Disrupted sense of security or safety at home	1.70
Needed to move into more expensive/unaffordable housing	1.67
Paid for transportation to and from court hearings	1.67
Impacted relationships with family and friends	1.67
Created additional financial barriers to securing housing (e.g., higher security deposit)	1.63
Had to move out	1.63
Needed to pay for storage to avoid losing belongings	1.63
Caused people to be denied housing	1.56
Damaged relationships with partners or spouses	1.56
Lost belongings (e.g., furniture, food, children's items)	1.56
Reduced time spent with children/ability to focus on children	1.52
Caused job loss/interfered with the ability to find new employment	1.48
Made it harder/scarier to advocate for one's rights (e.g., for repairs)	1.48
Brought up trauma of past housing loss	1.44
Interfered with public benefits or financial aid	1.44
Worsened pre-existing health conditions	1.41

Impact Statement	Average Rating
Contributed to job insecurity (i.e., threatened performance and attendance)	1.41
Created pressure to protect children from housing stress	1.37
Caused children stress/anxiety	1.30
Delayed healing from injury or illness	1.26
Disrupted children's routines and school attendance/grades	1.15
Had to move into unfit/poor-quality housing	1.11
Made it harder to secure medical care for dependents (e.g., children)	0.96
Paid for temporary housing (e.g., hotels)	0.96
Needed to move in with family and friends (i.e., to double-up)	0.85
Interrupted ability to attend/focus on college	0.85
Impacted religion, faith, or spirituality	0.78
Paid for child care during court hearing	0.74
Disrupted access to medical care	0.74
Forced people to apply for housing in someone else's name	0.70
Threatened parent's custody of children (i.e., DHS involvement)	0.63
Returned to an abusive/unsafe relationship to secure housing	0.44
Turned to illegal means to earn money	0.26