Serial Evictions: Property Managers, Tenants, and Civil Court Sanctions

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Abstract

Rising income volatility has compromised low-income tenants’ ability to consistently make rent, while increasing professionalization of the housing market has made defaulting on rent more consequential. Increasingly, the institution charged with managing this tension is the civil court. Drawing on over 8 million eviction court records from 28 states, this study shows how civil courts play an active role in extracting monetary sanctions from tenants. In so doing, it documents a feature of housing insecurity—serial evictions—undetected by previous research. Serial evictions occur when a property manager files to evict the same household repeatedly from the same address. Filings associated with serial cases made up more than half of eviction filings in our sample. Combining multivariate analysis with in-depth interviews conducted with 69 with property managers, tenants, and court officials, we document the dynamics and consequences of serial evictions. When the barriers to entry are low, property managers use housing court to help them collect rent and late fees, routinely passing court costs on to tenants. For the average tenant who experiences serial evictions, fines and fees increase their housing costs by 22%. Serial evictions exacerbate tenants’ housing cost burden and compromise their quality of life in ways not reflected by standard indicators.

Keywords
eviction, housing, civil court, law, poverty, monetary sanctions

Owing to stagnant wages and rising rents, the majority of poor renting families in the United States dedicate over half of their income to housing costs (Eggers and Momen 2010). With limited expansion of low-income housing programs, the ability of poor families to locate stable, affordable housing has been severely compromised (Schwartz 2015). Among poor families, increasing housing cost burden deepens material hardship, compromises children’s wellbeing, and places a growing number at risk of eviction (Desmond 2016; Newman and Holupka 2015). An emergent body of research examines the prevalence, correlates, and consequences of forced displacement from housing. Ludberg and Donnelly (2018) estimate that 25 percent of children born into deep poverty between 1998 and 2000 experienced an eviction by age 15. Desmond and Shollenberger (2015) estimated that between 2008 and 2010 one in eight Milwaukee renters were evicted in the previous two years. Further studies have documented the fallout of forced displacement, linking eviction to job loss, maternal depression, homelessness, downward neighborhood moves, and other negative outcomes (Collinson and Reed 2018; Desmond and Kimbro 2105). Mounting evidence underscores the centrality of unaffordable housing to a comprehensive understanding of inequality and urban life in the United States.

By and large, researchers have treated eviction as a discrete event, the harsh outcome of an unexpected financial setback or rent hike, for example. This study shows that for many tenants,
being threatened with eviction is a routine process, one that not only results from but also contributes to their financial insecurity. Drawing on an individual-level database of over 8 million court records from 28 states, we discovered a feature of housing insecurity—serial evictions—that previous research has not been able to observe. Serial eviction cases occur when a landlord or a property manager repeatedly files to evict the same household from the same address over a series of months. In 2014, filings associated with serial cases made up more than half of eviction filings in our sample. To remain in their home, tenants threatened with eviction must pay late fees and court costs in addition to past-due rent. For the average tenant who experienced serial evictions, these fines and fees increased their housing costs by an estimated 22%. For one in ten of such tenants, fines associated with serial evictions increased their housing costs by an estimated 30%.

Much of the literature on unaffordable housing and eviction overlooks the civil court system or tends to treat it as a neutral player in a larger economic drama involving the interplay between the labor and housing markets. Analyzing serial eviction cases demonstrates that housing courts exert considerable influence over a municipality’s eviction patterns. Observing significant variation in serial filings both between and within states, we conducted multivariate regressions modeling tract-level serial eviction rates on the basis of variables related to court system operations, the local housing market, and neighborhood socio-demographic composition. Results confirmed that areas with lower legal barriers to eviction filing have higher rates of serial eviction. Controlling for a broad set of factors, tracts with eviction filing fees over $200 had serial eviction rates that are over ten percentage points lower. Notably, results also pointed to the significance of landlord characteristics—including whether plaintiffs are businesses and whether the market encourages large players—in predicting serial eviction filings.

To further understand the dynamics between landlords, tenants, and the legal system that produce vastly different serial eviction behaviors, we interviewed 69 property managers, tenants, and court officers in Charleston, South Carolina and Mobile, Alabama. Charleston and Mobile shared a range of socio-demographic and housing market characteristics, including similar overall eviction rates, but had strikingly different proportions of serial eviction cases. Interviews highlighted the ways in which aspects of the court system—particularly waiting periods, fees associated with filings, and attorney requirements—shaped property managers’ use of eviction court, thus supporting findings from regression results. In Mobile, where the law has made formal evictions costly and time-intensive, property managers tended to use housing court to reclaim their property from a tenant in arrears. In Charleston, where the law has made formal evictions cheap and quick, property managers often used housing court to collect rent and additional fees. For the latter group, housing court functioned like the court of first, not last, resort.

Interviews with serially-evicted tenants reveal that the financial toll of this process is not the only consequence of repeated—and often unnecessary—eviction cases. Tenants report that being taken to court multiple times produces psychological strain, social withdrawal, and legal cynicism toward the court system. The findings of this study indicate that the housing crisis cannot be fully understood by evaluating rents and utility costs alone. Increasingly, late fees and court fines combine with these costs to exacerbate tenants’ housing cost burden and compromise their quality of life in ways not reflected by standard indicators.
Inflexible Rents and Volatile Incomes

A previous generation of sociologists drew a clear distinction between individual and corporate landlords (Cherry and Krohn 1977; Kelley 1975). The “local-amateur” and the “national-professional” landlord were understood to have different relationships with tenants, management strategies, and market knowledge (Herbert et al. 2013). Corporate landlords possessed a number of advantages, including the support of local and national professional associations and the ability to employ income-maximization strategies achievable through economies of scale (Bogdon and Ling 1998). These advantages were reflected in rent collection and eviction strategies. By engaging in similar and simultaneous litigation in large quantities, corporate landlords had access to specialists and could “maximize gain over a long series of [eviction] cases” (Galanter 1974: 98).

In recent years, corporate landlords have increased their market share. According to the U.S. Census (2012), the top 50 residential rental firms made 22.3% of all rental revenue in 2002. Ten years later, their share was up to 31.5%. In some areas, a small number of very large landlords owns a large proportion of housing units (Raymond et al. 2016). Following the 2008 housing crisis, corporations and private equity investors increased their holdings of single-family homes. Fields and colleagues (2016) estimate that the seven largest institutional investors own as many as 170,000 homes across the United States.

As rental property ownership has becoming consolidated in fewer hands, an increasing number of owners (large and small) are relying on property management companies (Mallach 2014). Between 1970 and 2000, the number of people primarily employed as property managers more than quadrupled (Thatcher 2008). Real estate property management revenue grew from $43.6 billion in 2010 to $71.68 in 2018 (U.S. Census and Statista 2018). The growth of the property management sector enables small- and medium-scale operators to outsource routine operations to third parties or to individually make use of rent-collection and eviction strategies and products previously reserved for the largest players.

Professionalized landlords and managers rely on a suite of software tools and analytic packages that allow them to track housing stock, expenditures, and income (Immergluck 2013). These tools include automated systems to handle evictions (Chester and Robinson 2003). The consolidation of tenant information and availability of software tools, along with expanding property management portfolios, encourages an explicit formalization and monetization of the landlord-tenant relationship (Kleysteuber 2007). When property owners have a personal relationship with tenants, both parties often problem-solve issues (e.g., late payments, repairs) without involving the legal system. This arrangement can render rent payments more flexible, as rent may be paid late without sanction or satisfied with in-kind efforts, like property maintenance done by tenants (Desmond 2016; Sternlieb 1969). The professionalization of rental property management compromises tenants’ ability to form personal relationships with landlords, which in turn constricts their ability to negotiate the amount and timing of rent payments. This arrangement can render rent inflexible, with payment required in full by the fifth of the month.

As changes to the low-cost housing market have made rents more rigid, transformations in the low-wage labor market have made incomes more volatile. Today’s low-wage labor market is populated with jobs offering low pay, no benefits, and little security (Kalleberg 2009). According
the Economic Policy Institute (2016), 41.7 million laborers—one third of the U.S. workforce—earn less than $12 an hour. Increasingly, employers are adopting scheduling practices that exacerbate workers’ uncertainty. Lambert and colleagues (2014) estimate that nearly 40 percent of full-time hourly workers know their work schedules just a week or less in advance. Schedule fluctuations can have a significant impact on workers’ take-home pay, causing household incomes to rise and fall from one month to the next (Henly and Lambert 2014). Low-income workers also commonly face stretches of unemployment, as half of all new jobs end within the first year and firms execute permanent terminations to facilitate restructuring and efficiency (Brand 2015; Kalleberg 2009).

Owing in large part to these labor-market dynamics, income instability has increased since the 1970s (Gottschalk and Moffitt 2009). Part of this trend has involved the rising likelihood of large income losses (in excess of 50%), which can plunge families into deep poverty (Hacker and Jacobs 2008). Western and colleagues (2016) show that, between 1984 and 2010, large income losses increased more than large income gains among children in poor households. Added to heightened insecurity in the labor market are other adverse events disproportionately experienced by households below the poverty line: e.g., victimization, relationship dissolution, health problems, incarceration (Desmond 2015; Western et al. 2008). In the contemporary United States, poverty has become a condition involving not just low, but also volatile, income.

Because these transformations in the housing and labor markets have advanced in lockstep, today working poor families face lower odds of both entering into informal relationships with their landlords (which allow them to negotiate rent) and securing formal relationships with their employers (which help them to receive steady earnings). Income insecurity has compromised such families’ ability to consistently make rent, while professionalization of the housing market has made defaulting on rent more consequential.

Increasingly, the institution charged with managing this tension is the civil court, and housing courts in particular. The vast majority of tenants facing eviction lack legal counsel and often find themselves facing their landlord’s attorney (Seron et al 2001; Engler 1997). Property owners have also been instrumental in shaping housing law in a way that protects their interests (Glendon 1982). Far from being a check on landlord power, then, civil courts often accentuate and manifest that power. As Bezdek (1992: 556) put it in her study of Baltimore City rent court: “Rent court, more than most other courts, is a theater of class conflict in which businesses and their hirelings constitute a class of professional claimants exercising significant advantages over the individual defendants whom they bring before the court, who are poor and poorly situated with respect to the attributes that garner respectful hearing in court room.”

Landlord-tenant cases make up a significant proportion of civil court proceedings (Hannaford-Agor 2015). These cases can bear similar consequences to criminal charges. Both criminal records and eviction filings yield a mark that is traceable by landlords; this mark can have tangible and lasting effects on one’s housing options, credit score, and eligibility for social welfare programs (Desmond 2016). Moreover, civil cases can also saddle tenants with fine and fees beyond rent arrears. Social scientists have observed the proliferation of monetary legal sanctions in criminal cases over the last several decades, a change that has led courts to take on a more active debt-collection role (Harris 2016; Kohler-Hausmann 2018). When it comes to housing cases, civil
courts reify late fees charged by property managers. Late fees can be—and often are—collected without recourse to the courts, but the courts empower managers to collect such fees under threat of eviction. Tenants facing eviction also must reimburse the court for its services, should they wish to remain in their homes. Late fees and court costs represent additional financial burdens for already-disadvantaged families. As with misdemeanor justice, the process of eviction filing is in many cases experienced as a kind of punishment itself, even if displacement is avoided (Feeley 1979). By analyzing the prevalence, dynamics, and consequences of serial eviction cases, this study documents where and why property managers are relying on civil courts to handle routine disputes with tenants, disputes that arise as a function of inflexible rent deadlines misaligned with the uncertain financial realities of the working poor.

Data and Methods

This study combines quantitative and qualitative data. Quantitative analysis of millions of eviction records enables us to examine the prevalence of and variation in serial cases in national perspective. Qualitative analysis of 69 in-depth interviews describes property owners’ eviction behaviors and documents the financial and social tolls of serial evictions on tenants.

Eviction Records

This study analyzes the prevalence of serial evictions across 28 states in 2014. In total, we draw from 8,108,674 eviction cases filed between 2010 and 2016, with a primary focus on 1,149,193 cases filed in 2014. We focus on 2014 because it is the most recent available year for which there are sufficient subsequent years of court records to support analysis. The states represented in our data are Alabama, Delaware, Florida, Georgia, Iowa, Illinois, Indiana, Kansas, Kentucky, Massachusetts, Michigan, Minnesota, Missouri, Mississippi, North Carolina, Nebraska, New Mexico, Nevada, Ohio, Oklahoma, Oregon, South Carolina, Texas, Utah, Virginia, Washington, Wisconsin, and West Virginia. Our data contain recorded eviction cases filed in 22,134 Census tracts across the entirety of 956 counties. This sample covers roughly one third of U.S. renter households.

Compiled by the Eviction Lab at Princeton University, these individual-level records include a number of basic identifiers: court-assigned case numbers, names of plaintiffs (landlords, property managers, or their agents) and defendants (tenants), defendant addresses, and the date of the filing. Records have been cleaned, stripped of duplicates and commercial eviction cases, geocoded, and validated against publicly-available data sources published by county and state court systems. Defendant names and addresses have been standardized before used for linking serial cases (for a detailed description of the methodology, see Desmond et al. 2018). Counties with low coverage rates are excluded from analysis.¹

¹ Our data consist of eviction records collected by LexisNexis Risk Solutions. LexisNexis did not consistently collect all eviction filings processed at a given court, which could result in undercounting. To assess the degree of undercounting, we compared eviction estimates generated using LexisNexis records to external statistics. We collected county-level eviction statistics directly from courts in 21 states. We marked LexisNexis as having poor coverage if it collected less than 80 percent of cases reported by courts. We do not have directly comparable external statistics for
We identify serial eviction cases in the data using case numbers, tenant names, and tenant addresses. Distinct cases that share a same (standardized) defendant name and address are linked as part of a serial case. Each serial case has at least two distinct court cases associated with it, and there is no fixed maximum. To describe the prevalence of serial cases, we calculate the serial proportion: the number of households filed against repeatedly divided by the total number of unique households in the filing data. This measure offers an indication of how many households facing eviction have been repeatedly filed against at the same address.

We believe serial evictions to be driven by the combination of renters’ socio-economic characteristics, landlord behavior, and the legal environment. These factors give rise to significant variation in serial proportions both between and within states. We model serial proportion at the Census tract level via linear regression. To account for possible correlation within larger administrative units, we employ robust standard errors clustered by county.

Focusing on renter characteristics, we expect serial evictions to be closely tied to income volatility. Workers who cannot count on a stable paycheck will be less reliably able to pay rent and therefore at greater and more constant risk of eviction. Studies have shown the income volatility in concentrated among lower-income households (Bania and Leete 2009). Fluctuations in earnings are especially common for low-wage service workers (Lambert et al 2014), a group disproportionately populated by African Americans and Latinos (Economic Policy Institute 2016). To account for structural characteristics commonly associated with income volatility, we include in our models a set of variables taken from American Community Survey (ACS) 5-year estimates for 2012-2016: the percentage of renting households whose householder has a bachelor’s degree or more, whether the majority of the renter population is non-Hispanic white or non-Hispanic black (with majority Hispanic or mixed as the omitted category), and the median renter household income (main effect and squared term). As most eviction filings are due to non-payment of rent (Greenberg et al. 2015), we include the ACS measure of median household rent (main effect and squared term). We expect serial evictions to affect those at the lower end of the rental market, who might be more likely to be late on rent due to volatile incomes.

We also include renter demographic variables that previous studies have associated with evictions in general, not just serial evictions. Women and households with children face higher risk of eviction (Desmond 2012; Desmond et al. 2013). As such, we include ACS measures of the percentage of female-headed renter households and the percentage of renter households with children under age 18.

Landlord characteristics and rental market conditions may also affect eviction filing behavior. Larger corporate landlords and/or those using professional management services are more likely to closely track and monitor rent collection and have formalized policies on eviction filing (Immergluck 2013). We expect that such monitoring and policies will limit managers’ tenant-specific discretion and contribute to more serial evictions. Based on names in the eviction

seven of the states in our sample. In those cases, we extrapolated filing rates from similar states to derive an estimated cut-off filing rate and mark filing rates as “too low” if they fall below the cut-off. We removed counties with low coverage because undercounting has a significant effect on serial case proportion (analysis available upon request).
court records, we are able to identify plaintiffs as either individuals or businesses. We include a measure in our models of the percentage of evictions in 2014 that were filed by a corporate entity. This should not be mistaken as a proxy for overall corporate control of rental market housing in the area, but does indicate the extent to which corporate landlords drive eviction patterns in the tract.

In response to rental housing market conditions, landlords and property managers might adopt different rent collection and eviction behaviors. On the one hand, larger rental markets—measured by the percentage of households that rent their homes and the natural logarithm of the total renter population—may have higher serial proportions, as landlords can exploit economies of scale to benefit from filing in bulk. On the other hand, landlords might be more lenient in eviction filings in neighborhoods with more vacant units. However, this effect may be conditional on a tract’s racial make-up. People, regardless of their race, often consider predominantly black neighborhoods less desirable (Farley et al 1994; Krysan et al 2009). Vacancy rates in such neighborhoods might have a particularly pronounced effects, because landlords will have more difficulty finding new tenants and less inclined to remove current tenants. We include ACS measures of the rental housing vacancy rate, as well as the interaction between vacancy rate and renter population racial majority.

Landlords and property managers may exhibit more aggressive eviction strategies in gentrifying neighborhoods, but not necessarily strategies that result in more serial evictions (Atkinson 2000; Newman and Wyly 2005). If landlords are attempting to displace existing tenants, they have little incentive to file repeatedly. We include in our models a dummy variable that indicates whether a tract has experienced gentrification since the year 2000. To construct this measure, we employ data from the 2000 Census and the 2012–2016 ACS. We use principal components analysis (PCA), separately by period, to combine three tract-level variables: the percentage of residents aged 25 and over with a bachelor’s degree or higher; the percentage of residents employed in managerial, technical, or professional occupations; and the median household income. In both 2000 and 2012–2016, PCA shows that these variables loaded onto a single factor (eigenvalues of 2.59 in 2000 and 2.60 in 2012–2016, standardized Cronbach’s alphas of .92 in both 2000 and 2012–2016). We assign each tract its percentile in the period- and MSA-specific specific distribution of this factor. Following Timberlake and Wolfes-John (2017), we count any tract in the bottom 60% of the distribution in 2000 as potentially “gentrifiable.” Among potentially gentrifiable tracts, we consider tracts to have gentrified if they did not experience a significant population decline (over 50%) but did experience at least a 10% increase in the MSA-specific gentrifiable distribution between 2000 and 2012–2016. Across the country, 13.64% of tracts in

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2 This measure codes corporate entity status on the basis of plaintiff names in the eviction case records. The included measure is the percentage of unique eviction cases in the tract in 2014 in which the plaintiff name included one of the following terms: Acres, Annex, Apartment (or Apt), Associated, Associates, Association, Bank, Capital, Community, Company, Condo Trust, Cooperative, Corporation, Crossing, Development, Enterprise, Estate, Foundation, Holdings, Housing, Incorporated, Investment, Leasing, Limited (or Ltd), Living Trust, LLC, LP, Management (or Mgmt), MHP, Mobile Home, National, Nominee, Partner, Partnership, Property, Real Estate, Realtor, Realty, Redevelopment, Rental, Residential, Revocable, The, Townhome, Townhouses, Trust, Trustee, and Village. Informed by our interviews, we believe housing authorities to manage properties and implement policies similar to corporate landlords. Therefore, we also identified plaintiff names that contain the following terms: Housing Auth(ority) and Housing Board.
MSAs are marked as having gentrified. Across the 22,068 tracts in our sample—some of which are not in MSAs and therefore not eligible for inclusion—11.20% are marked as having gentrified.

Finally—and as discussed in depth below—our interviews with landlords highlight the role of legal procedures in shaping eviction filing behavior. One key factor is the cost of filing an eviction. The Eviction Lab has collected data on filing fees—how much landlords have to pay the court to initiate an eviction action—for 3,118 of the 3,142 U.S. counties and county-equivalents. We code a dummy variable to indicate a high filing fee ($200 or above). We expect that areas with higher filing fees will have lower serial proportions. We have also collected information related to the legal procedures of an eviction filing in the 28 states in our sample. Using information published on court, government department, and state legislature websites, we code five categorical variables: the days of written notice required before initiating eviction action at court; whether a lease can serve as a notice of eviction; whether there are requirements for either party to hire attorneys; whether there are restrictions on what costs the winning party can recover; and whether the court automatically schedules a hearing upon an eviction filing. These variables are coded at the state level. Each represents a factor that might serve as a barrier to eviction. The attorney requirement, for instance, increases the financial costs of filing for eviction. Lastly, the Eviction Lab has collected information on which courts hear eviction cases in each county. Using this data, we include a variable representing the number of courts that hear eviction cases in each county. This variable serves as a proxy for courts’ capacity to process cases quickly. Counties with more courts can distribute caseloads across more resources and speed up the processing of eviction cases, which could encourage landlords to file evictions. Summary statistics of the variables used in our analysis are listed in Table 1.

[TABLE 1 HERE]

Interviews and Ethnographic Observation

To obtain a more in-depth understanding of the dynamics of serial eviction cases from the perspectives of both landlords and tenants, we conducted interviews with landlords, property managers, and tenants in Charleston, South Carolina and Mobile, Alabama. These sites were selected because they had similar demographic and economic characteristics but vastly different serial eviction rates. Specifically, Charleston and Mobile shared similar poverty rates, household incomes, population and racial composition, and overall eviction rates (Table 2). However, in 2014 Charleston had a serial proportion of 52.5%, compared to 5.6% in Mobile. We conducted interviews in each location to identify factors that explain this difference.

[TABLE 2 HERE]

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3 When available, we collected filing fee information publicly listed on court website. For courts that do not publish fee schedules online, we emailed and called court clerks to collect filing fee information. For this analysis, we are missing filing fee information for 7 out of 956 counties. We use the state’s average filing fee in these cases.

4 The Eviction Lab had collected court information from two sources: BRB Publications, LLC.’s Public Record Research System (PPRS) and LexisNexis Risk Solutions (LexisNexis). For this analysis, 18 out of 956 counties are missing court information in the PPRS database. In these cases, we substitute using court counts generated from the LexisNexis database.
To select an initial sample for interviewing, we identified landlords and property managers who appeared most frequently in court records. We reached out to as many as necessary to secure 15 landlord interviews in each location. As a function of this selection method, almost all landlord interviews were conducted with professional property managers, as those who manage a large number of units had higher odds of appearing repeatedly in the court records. Initial contact was made by calling phone numbers; in-person follow-up attempts were made in many cases. We supplemented this initial set of property managers with a snowball sample, asking interviewees for referrals at the end of each interview. Last, we recruited attendees from a risk management course for property managers in Mobile. In total, we conducted 17 interviews with property owners or managers in Charleston and 16 in Mobile.

We used two methods to recruit tenants. First, we approached community organizations and asked them to advertise our study. Second, we visited apartment complexes with high levels of serial eviction filings (as identified from court records) and knocked on doors. We asked residents who had experienced serial filings if they were willing to participate in an interview. We conducted interviews with 14 tenants in Charleston and 13 in Mobile. Interview participants—both landlords and tenants—were compensated $50 for participating in the interviews. Interviews lasted between 30 minutes and 90 minutes. All interviews were recorded and later transcribed. With their consent, we use interview participants’ real names in this paper (Jerolmack and Murphy 2017).

To supplement interviews, we also spoke with legal experts in both states and visited courts to observe eviction cases as they were processed. In South Carolina, we visited three magistrate courts in North Charleston, where the majority of serial cases were processed. We spoke to two legal aid attorneys, a judge, and a court clerk at those courts. In Alabama, we visited the Mobile County District Court, where all unlawful detainer hearings were centralized. There, we interviewed a judge, two landlord attorneys, and three legal aid attorneys. The information gleaned from these interviews and observations improved our understanding of the legal procedure for evictions and allowed us to validate statements made by tenants and landlords. Throughout interviews and observations, we asked for documentation whenever available: e.g., leases and eviction notices from tenants, rental policies and applications from property managers, and dockets and eviction filing templates from court officials. These materials allowed us to triangulate interviewees’ accounts.

**Quantitative Results**

In 2014, 865,496 unique households across the 956 U.S. counties in our sample received eviction filings. Given the number of renter households in these areas, this represents an overall eviction filing rate of 8.4%. Within this set of households at risk of being evicted, 34.8% were filed against multiple times at the same address. These serial households accounted for an outsize number of eviction filings in our data. Of the 1,149,193 eviction filings in 2014, 50.9% of them were associated with serial cases.
Figure 1 displays the spatial distribution of serial proportions across the 956 counties in our data. The map shows large variation both between and within states. Serial cases were concentrated in the Southeastern states of Florida, Georgia, South Carolina, North Carolina, and Virginia. Alabama was an outlier in this region, showing low serial proportions across the state. Serial proportions in Delaware were also notably high.

[FIGURE 1 HERE]

Serial cases can be evaluated in terms of the number of filings received by households and the timing of these filings. Between 2010 and 2016, the median serial household in our sample was associated with two filings. However, the national statistic masks variation across states. Figure 2 presents the proportion, by state, of serial households in three filing-count categories: low (2 filings), medium (3-9 filings), and high (10 or more filings). The states are ordered from left to right by ascending serial proportion. In Delaware, Georgia, Mississippi, North Carolina, South Carolina, and Virginia, over 40% of serial households were threatened with eviction more than three times. These states also had some of the highest serial proportions.

[FIGURE 2 HERE]

In these states, at-risk households were not only more likely to receive multiple eviction filings; they also received these filings more frequently. Serial cases experienced subsequent eviction filing within relatively short periods of time. In our sample, the median serial case received a follow-up filing within 2.1 months, and 89.9% received subsequent eviction filings within a year of their first eviction filing. However, the median time between serial cases varied considerably across states (see Table A1). States with higher serial household proportions had lower median time between filings. South Carolina and Virginia—both of which had high serial eviction rates—serve as prime examples. In these two states, 1 in 20 of the serial households identified in 2014 received ten or more eviction filings between 2010 and 2016. In both states, the median time between filings converged to one month as the number of filings associated with the household increased. A nontrivial share of households that had been filed against—3.63% in South Carolina and 2.91% in Virginia—were filed against every single month for an entire calendar year.

We present results from the regression model predicting tract serial proportion in Table 3. Among demographic variables related to income volatility, race and education achieve statistical significance. At-risk households in majority-white neighborhoods are less likely to face repeated eviction filings than those in neighborhoods with no racial majority or that are majority Latino (the combined reference category). With all other variables held at their mean values, majority-white neighborhoods have serial proportions 6.18 percentage points lower than in reference neighborhoods. There is no significant effect of majority-black neighborhoods, suggesting a limited association between race/ethnicity and serial household proportion in majority nonwhite tracts. Education shows an unexpected positive association: tracts with larger percentages of college-educated renters have higher serial proportions. The effect of female householders on serial filing is significant in the expected direction, but presence of children is not.

The main effect and quadratic term on median rent are both significant, and jointly yield a pattern that does not align with our expectation that lower rents facilitate serial eviction filings.
The combination of terms describes an inverted U-shaped pattern wherein tracts with lowest and highest median rent have lower serial proportions. The model predicts highest serial proportion in tracts with median rent of approximately $1700, well above the sample average of $926. One possible explanation is that renters in the mid-range rental markets are those who can afford to catch up on back rent, accumulating eviction filings but never actually getting evicted. Failure to pay rent may represent a less surmountable barrier at either extreme of the rental market and thus eviction may be more likely to follow from initial filing. This finding demonstrates that evictions and eviction filings extend beyond renters at the very bottom of the rental market.

As expected, neighborhoods with more renters, as well as neighborhoods where higher percentages of evictions are filed by businesses, are significantly associated with higher serial proportions. Both characteristics suggest serial evictions are more prominent in rental markets with landlords that can operate on larger scale, by benefitting from economies-of-scale and from business resources. Contrary to our expectation, vacancy rates show no association with serial proportion. These results indicate that landlords matter to understanding serial evictions, but that rental markets conditions play a less important role.

Three of the six variables measuring legal barriers to eviction filings demonstrate significant effects in the expected direction. Areas with filing fees of $200 or more have serial proportions that are, on average, 5.5 percentage points lower. Landlords and property managers are significantly less likely to file repeatedly in states requiring them to take an additional step to serve late notices before they can file evictions. Tracts in states that impose any form of attorney requirement also have significantly lower serial proportions. These results confirm our hypothesis that landlords and property managers are more likely to file more frequently in states with lower barriers to filing evictions. As the legal variables are coded at the state level, they also explain the consistent between-state patterns.

[TABLE 3 HERE]

These findings display the variation in prevalence and characteristics of serial filings. However, the results cannot explain the underlying motivations behind serial eviction filings. Why do landlords, especially business landlords, file repeatedly, if not to evict? Nor does the analysis describe the consequences of serial evictions on renters. To gain a better understanding of the motivations behind serial evictions and their ramifications, we turn to results from interviews.

**Qualitative Results**

*The Property Manager’s Perspective: Eviction by Computer*

The property managers we interviewed included those of large apartment and townhouse communities as well as managers of privately-owned single-family homes. They oversaw hundreds of units, and their expressed priority was to maximize income for the management company or owners (Goss and Campbell 2008). Rent collection therefore played a major role in their professional responsibilities.
Several property managers we spoke with used software to keep track of each property’s monthly income and delinquency rates, metrics closely monitored by upper management. Pulling up her monthly report, Shona Littlejohn, a property manager at Pinecrest Apartments in Charleston, readily detailed the numbers she constantly tracked.

Right now, our gross potential rate for this month with our occupied units is $310,000. … Out of that monthly $310,000, we have collected all but $32,000. But the total delinquency with the 90 days, the 30 days, the 60 days, all numbers, 90, 60, 30, but it’s $41,000. So, our delinquency total is about 12% as of Monday. … Our goal each month is to be below two percent.

This amounted to 20 units with outstanding balances, the highest being $2,154. Shona went on to describe the pressure she faced every week.

As a manager, my reports are due every Monday. So, I actually work week by week to get those done because I’m only as good as my week is. I have to make sure my numbers are always on the incline and never on the decline. … I get nervous when that happens.

Many property managers expressed feeling as if they were at the mercy of their spreadsheets. To them, adhering to corporate policies, including ones on rent collection and eviction, left them little room to negotiate with tenants, even if they wished to do so. Shay Lawrence, who managed 120 units at Ashford Place Apartments in Mobile, expressed that seeing families evicted “wasn’t a good feeling.” Describing the latest eviction of a family, she said, “I knew it was an embarrassment to her [and] her children due to the situation.” Nevertheless, she felt that she had to file evictions on the 16th of each month: “If it’s not paid on that date [the 16th] we have to process for eviction. That’s our rules from compliance. … That’s from head office. There’s nothing that really we can do about that.”

To contrast, Lauren Kelly was head manager of property management at Southern Shores Real Estate Group, a smaller real estate company in South Carolina, where she managed single-family homes for 107 different individual owners. When it came to filing evictions, Lauren had more influence and leniency in the decision than the typical corporate property manager. She would tell her owner clients, “Once you file that first eviction, it will always, always be on [the tenant’s] record. You’re not going to get rid of it. It’s not going away. … It’s literally public record. … I stress to my owners the importance that like, ‘Look, it’s not something to play around with. You’re literally affecting somebody’s life.’” Lauren’s actions were ultimately bound by the owner’s decision, but she had more leeway to work with tenants based on the situation, compared to property managers working under corporate rules. In many ways, Lauren—by acting as proxy for individual owners—behaved more like smaller landlords described in other research (Desmond 2016; Mallach 2007). She herself acknowledged this difference: “I think it’s different than if you were to work for one of the major multi-family ones. I know that in the corporate world for major multi-family, on the 6th, they literally would go [to court] with a stack of evictions.” All but one corporate property manager in South Carolina provided a cut-off date in each month when they would begin eviction proceedings.
Equipped with industry experiences and shared knowledge, property managers were familiar with legal procedures for filing evictions. While conducting interviews in Alabama, we observed a well-attended course offered by the Mobile Realtors Association. The property managers in attendance knew each other, and there was plenty of friendly banter and gossip during class breaks. A landlord attorney gave the attendees advice on risk management, including how to file evictions and how to avoid Fair Housing Act violations. She gave out templates of notices to vacate and promoted additional templates sold by her law firm. These forms ensured managers adhered to legal procedures required for evictions so that the case would not be dismissed due to procedural missteps.

This is only one example of the many supplementary business offerings that facilitate evictions, including rent-management software and automated eviction filing services. Consider Nationwide Evictions, a service used in over thirty states that processes roughly 180,000 eviction cases a year (www.nationwideeviction.com). Several of the property managers we interviewed made use of their services. To begin the eviction process, Crystal Brown—a property manager in Charleston and a client of Nationwide Evictions—needed only to input tenant information, lease, and rent ledger. “And then we just send it off to Nationwide Evictions,” Crystal said. “What they do on their end, I’m not sure; I know it gets to the courthouse. I know it gets filed. I know the residents get something on their door.” Knowledge and resources shared within the industry helped property managers become well-versed in strategies that maximize income and expedite evictions.

The property managers with whom we spoke in Charleston and Mobile shared many similarities. They managed rental properties of similar scale, dealt with oversight and pressure from owners and corporate headquarters, and benefitted from industry support. Ultimately, they worked towards the goal of maximizing income and minimizing losses from the properties they managed. Yet they adopted distinctive rent collection strategies. These strategies arose in response to differences in local legal codes and procedures, which were spread and institutionalized through the networks shared among these professionals.

South Carolina: Filing for Rent

For property managers in South Carolina, filing an eviction was easy, cheap, and a part of the rent collection process. The state’s landlord-tenant law allowed the lease to include language that makes the lease itself the notice of late rent and eviction, instead of the five- or seven-day eviction notices required in other states. This both saved landlords time spent on serving notices and allowed them to file as early as the fifth of the month. Additionally, it cost a landlord only $40 to file an eviction in South Carolina, in contrast to the national average of $112. There was no attorney requirement in South Carolina, meaning that property managers could represent themselves in court. Most tenants did not request hearings. Mark Voss managed 312 apartment homes at Ashley Grove Apartment Community in North Charleston, SC. He estimated that he received fewer than five requests for eviction hearings in an average month. In those instances, the company hired attorneys to handle the hearings. He explained his inability to attend to regular court engagements: “If I had to go down to the magistrate to file, then I had to go back again and then go to court, I’d spend a good four days a month in court. … Yeah, it would be a daunting task, especially with as many apartment homes that we have.” Knowing tenants generally did not
request court hearings, the opportunity cost of filing an eviction was small. In combination, these factors dramatically lowered the barriers to filing an eviction.

Managers in South Carolina typically expected that tenants would “pay to stay” once an eviction was filed. As such, they had little to lose by filing. One outcome of the eviction filing was that the tenant came in to pay, including late fees and eviction filing costs. In this situation, the manager maintained the tenant, transferred late fees to the tenant, and gained additional income from late fees. These fees typically were applied after the fifth of the month regardless of court filing and ranged from $50 to $100, plus up to $10 each additional day.

Jennifer Williams managed Bridgeview Apartments, a project-based Section 8 apartment community in Charleston. Following company policy, she filed evictions on the 11th of each month for all tenants who were behind on rent. In July 2018, she filed evictions against 40 of the 300 units in her complex (13%). Almost all of those households (38) paid in full by the end of the month. She attributed this to tenants’ pay schedules. “Because they’re paid usually biweekly,” Jennifer explained, “they’ll pay half their rent with one check and then pay the other half with the other check, and [so] by the time they’re getting that second check, it’s after the eleventh of the month.” Until tenants hit a month with three paychecks, they were likely to keep getting monthly eviction notices. Like Jennifer, most property managers expected that late-paying tenants would not actually leave. If a tenant could pay rent by the end of the month, managers generally preferred to let them stay rather than dealing with the associated hassle of evicting them and finding a new tenant. By paying to stay, tenants fulfilled property manager’s expectations, reinforcing the effectiveness of filing evictions as a strategy for rent collection.

If tenants were unable to pay their rent in full, property managers like Jennifer had already initiated the eviction process, thereby reducing the time needed to remove the tenant. Courtney Elliot, property manager at Palmetto Creek, explained, “We always file on the early side because heaven forbid they don’t follow through and pay, we can get them out sooner.”

Filing evictions early and frequently also sent a strong signal to tenants. To Courtney, an eviction filing was a useful tool for disciplining tenants to pay on time. She instructed her team to “file evictions on the 11th of every month for any and all accounts that have not been satisfied, regardless if we have heard from them or not.” The reason a tenant was late did not matter. In her evaluation, the previous management team “was not aggressive with collecting rent. These residents had no consequences if they didn’t pay.” Courtney explained that being firm in her collection policy worked. Only two of her units were behind at the end of August (when our interview took place). Millie Moore, a property manager at Oak Ridge Townhouses in North Charleston, echoed Courtney’s sentiment: “Basically, my experience as I’ve been here, [an eviction filing] gets everybody’s attention and. … They get the message.”

There were limits to how many opportunities tenants had to receive this message. Some companies drew a line with “habitually delinquent” tenants who received multiple eviction filings. Management companies, such as the one for which Crystal worked, forbade tenants from paying and staying after their second eviction filing. After the first two filings, if the tenant was late again, the property manager would execute an eviction, even if the tenant indicated he or she was able to pay back the amounts owed. Some companies decided not to renew the lease of tenants who were
chronically late when the lease term came up. That such policies existed reinforced our observation that eviction filings were often used not to remove tenants, but to reinforce the threat of eviction, especially in the first two times. While eviction filings were a useful warning that motivated payment of rent and fees, landlords also needed to keep the threat credible and prove that they were serious about removing tenants.

Importantly, property managers also mentioned that they were anxious to avoid being accused of Fair Housing Act violations, involving discriminating against protected classes of people, like women or racial minorities. Specifically, they expressed concern that if they were to extend leniency in any one case, it could open them up to accusations of preference or discrimination in other cases. As such, they filed against all late-paying tenants on the same day regardless of their reasons for being late. This caution extended to blanket policies on tenant screening and rent collection procedures, including fees charged and eviction filings. Heidi Townsend, manager of 122 units at Wedgewood Apartments and Chester Apartments, explained that she followed the same eviction filing procedures in each case, regardless of tenants’ reasons for being late. She described:

They’re probably very legitimate reasons for why you haven’t paid your rent, but you have to be very straightforward in this position. You have to treat everybody exactly the same. So, there’s little room to make exceptions with rent collecting. You pretty much have to enforce the same late fee, or the same eviction fee, the same procedure with every resident across the board so that they can’t come back and say, “Well you didn’t charge my neighbor the late fee, but you charged me the late fee, and I feel like I’m discriminated against.” You really have no gray area. You pretty much have to be very strategic, you have to make sure that you have a system in place that you keep everything in line.

Victoria Cowart, Vice President of Property Management at Darby Development Co. Inc. and a veteran in the Charleston apartment industry, oversaw fourteen multifamily apartment complexes. Under her company’s policy, managers filed between the sixth and 15th of each month, varying by staff workload. Victoria explained:

We are concerned that if we don’t file that will set legal precedent that says we’ve permitted the tardy payment. We’re very concerned by fair housing laws and civil rights laws that we not treat customer different from another. We will file the ejectment, but it is not tantamount to us saying we want you to leave. We hope that they do not leave.

According to the property managers with whom we spoke, the equal-treatment mandates of the Fair Housing Act limited their discretion, including toward leniency. The same law that upheld equal access to housing also upheld equal access to eviction filing and late fees, and in so doing increased tenants’ exposure to those costs.

Filing for eviction was a routine part of the property management process in Charleston. Property managers were ready to file upon nonpayment of rent and regularly did so. In the majority of cases, they filed for eviction, not to reclaim their property, but to extract rent and establish payment expectations. As a result, many tenants filed with evictions ended up staying, but only
after paying additional costs. This also increased the odds that they would be removed the next time they were unable to make rent. Interviews in Mobile show how a dissimilar legal environment fostered different eviction strategies on the parts of landlords and property managers.

**Alabama: Filing for Possession**

Compared to South Carolina, the legal barriers to evict a tenant were much higher in Alabama. Before initiating any eviction action at court, Alabama landlords were required to serve a seven-day written notice to the tenant. Further, Alabama had the third highest average eviction filing fee in the nation. Filing an eviction cost $256 in Mobile, seven times as much as in Charleston. The state’s landlord-tenant law stated that only individual owners listed on a property’s deed could initiate eviction actions without an attorney. When a corporation or an LLC was listed as a property’s owner, property managers or representatives of owners were required to hire attorneys to process the eviction filing, thus incurring additional costs to the filing. Once an attorney was brought in to manage an eviction, a property manager lost control over the situation. According to Amber Stroud, an assistant property manager at Montlimar Apartments in Mobile, an eviction could drag on for “five or six months without us collecting rent.” She continued: “Then we’re having to pay the attorney on top of it, so that’s another month of rent basically. … Once [tenants] have been sent to the attorney, we quit talking to them about money at all. We quit talking to them about anything except if they have things like a problem in their apartments.”

Given these constraints, Alabama property managers viewed filing an eviction a serious commitment. Accordingly, they filed only when they intended to take possession of a housing unit. Just as in South Carolina, should tenants facing eviction wish to remain in place, they were required to pay back rent, accrued late fees, court costs, and (often) attorney fees. In Alabama, court costs and attorney fees alone could amount to a month’s rent, making it much harder for tenants to repay their debts. For this reason, most landlords did not expect tenants to be able to reinstate once an eviction process had been initiated. “You kind of don’t want to take a little bit of money and start the process back over because it’s just going to go on and on,” explained Caroline Ivory at Azalea Pointe Apartments. “If they have a good bit of [money], I’m going to try and work with them on the rest.” When we asked Christine Falls of Blue Ribbon Rentals, whether she had experiences with serial cases, she said no.

I’ve never actually filed and had someone stay. Oh gosh, that would make me really unhappy. … Well, you spent that money filing. I mean, the filing fee here is $300, and since some of the homes are owned by LLCs, then it has to be done by an attorney, so there’s another fee for that. So, it’s about $500 or $600 to file an eviction, and it would be very frustrating to have them stay. I mean, really, no. Really? I had to go that far and you came up with the money?

In Mobile, property managers tended to rely on other strategies for rent collection before taking eviction actions. They repeatedly emphasized the importance of communication. At Turtle Creek Apartments, the managers, Amanda Odle and Sandy Foley, spent most of their time on rent collection. They made several phone calls, sent notes, and knocked on doors. On the 15th of the month, they sent out letters urging tenants to pay rent or make special arrangements. Similarly, Candis Blackmon, an assistant property manager at Southern Oaks Apartments, described her rent
collection process as follows: “I call. I call your phone. I call your emergency contact. I call your supervisor. I email. I send out letters. I basically hound until I hear from that person.” Her strategy appeared to work: of the 224 units she managed, only one tenant was unable to pay rent in the month we spoke with her. That tenant moved out voluntarily to avoid eviction.

In some communities, payment arrangements were part of the property management policy. Bel Air Apartments accepted rent until the 20th of the month and allowed the tenant to extend the deadline once per lease term. Amber Harrington, the community’s property manager, explained, “I will pretty much do a payment arrangement for anybody that asks for one if they haven’t had one already because … it’s hard to determine somebody else’s financial struggles.” Similarly, Candis tried to work with her tenants. “I keep up with whenever someone says they’re going to promise to pay, and I calculate how much their late fees are going to be and give them that amount. And as long as they pay that amount on the date that they say they’re going to pay, then they can avoid going to eviction.” Property managers in Alabama still collected late fees from tenants who were behind on rent, but they offered solutions that helped those tenants avoid incurring the court costs and attorney fees, as well as an eviction record.

Payment arrangements were by no means unique to Alabama. We observed similar strategies in South Carolina. However, in the latter case, property managers began the eviction filing process even if they had arranged payment plans with tenants. As Shona from Charleston described:

We do do payment arrangements, but we still have to go through the process: filing the eviction and all that. If somebody comes in and says, ‘Hey I’m gonna be late with my rent for September. I will be able to pay it on the 16th.’ I will tell that resident that’s absolutely fine, we will go ahead and document your account that you will be paying on the 16th. But you still will have to incur those charges such as the late fee and eviction costs.

As we discuss below, the additional financial costs—the eviction costs on top of the late fees—were not the only consequences of these eviction filings: they also left negative marks on rental histories that constrain tenants’ ability to find future housing (see also Desmond et al 2015).

Several property managers in Alabama told us that when they recognized a tenant could not pay the rent, they sometimes advised the tenant to leave before the formal eviction process began. This was perceived as a kindness. For one, tenants could avoid paying the court costs and attorney fees, using the money to move elsewhere instead. Moreover, tenants could avoid having eviction records reflected in their rental history. As Paige said:

[If a tenant gets to] that point [of] being evicted, I try to let everyone know in advance. If you get evicted, it’s terrible for your credit. It’s going to be really hard to get an apartment anywhere else because we kind of all bound by the same criteria. So, the best thing to do … if you have an issue, [is] to just move out. I try to keep that as a mode of communication with them.
This had an added advantage for the Alabama property manager, who could avoid the cost and time associated with the formal eviction process.

Whereas eviction was among the first moves in South Carolina, it appeared to be among the last in Alabama, a card to play when property managers had exhausted other options. In Alabama, legal barriers along with semi-formal policies adopted by property managers reduced the frequency with which the threat of eviction was invoked.

The Tenant’s Perspective

Speaking to tenants allowed us to gain further insight into the lived experience of the eviction regimes in Alabama and South Carolina. Differences in serial filing behaviors in the two states resulted in different forms of hardship. In South Carolina, the cost of each eviction filing was relatively low, but those costs added up over the course of multiple filings. In Alabama, tenants were less likely to experience serial eviction filings, but that was in part because insurmountable financial costs meant a single eviction filing was more likely result in displacement.

Often, tenants were behind on rent after suffering some form of financial setback caused by medical bills or reductions in work hours. Serial evictions increase the financial precarity of low-income tenants. Fees associated with repeated—and often unnecessary—eviction filings represent an additional, unmeasured rent burden. Based on county filing fees and tract median rents for our entire sample, we estimate that the average tenant facing eviction would need to pay $190 in late fees and court costs to stay in their home. This represents, on average, a 21.9% increase in rent.5

Craig Middleton was a father of three in North Charleston, South Carolina. His family received eviction notices multiple times from his apartment complex during a period when he was out of work, owing to a heart problem. Every month he was behind on his $880 monthly rent, Craig had to pay a $55 late fee and $40 in court fees.6 This amounted to a 10% increase in his monthly rent each time he was late. He explained: “You still got car payments to pay. You still got a light bill to pay. You still got groceries to buy. … It’s kind of hard, once you get behind, to try and catch up, because you got everything else you gotta pay for. … We didn’t have no choice but to pay late.” Between rent and other bills, it took Craig four months to clear his debts and begin meeting his regular rent payments. To do so, he worked overtime. Although his family avoided eviction, their experience demonstrated the difficulty of catching up on rent. There were times when he only managed to pay rent days before the month ended. His property manager knew about Craig’s situation and vouched for his ability to pay, but Craig was not exempted from the eviction process and its associated costs.

5 In each tract we calculate the expected cost of paying to stay as the county filing fee plus 10% of tract median rent (a common limit on rent late fees). We take the average across all tracts weighted by the number of unique serial cases in that tract in 2014. To determine average proportion of additional rent, we divide this pay-to-stay measure by tract median rent and take the weighted average across all tracts.

6 Amberwood Townhomes charged $1 per day after the fifth of the month, then fifty dollars flat after the tenth.
The court costs associated with eviction filings were much higher—if less frequently incurred—in Alabama. In Mobile, Shanavia Wright and her two daughters used to live in a private apartment complex while she was studying to become a nurse. She fell one month behind on rent for her $800 per month apartment when she sustained unexpected medical costs after being diagnosed with diabetes. When adding late fees, court costs, and attorney fees, her total balance due was almost $2,000. She managed to stop the eviction process by borrowing from family members, getting a loan, and spending two of her paychecks. “It was hard,” she recalled, “make[s] you feel like you can’t do anything, especially when you have kids, because you’re worrying about if they’re going to have a roof over their heads come tomorrow. That was hard. [You] don’t want your stuff to get put out.” Given the difficulty of paying back rent and fees owed in Alabama, once an eviction has been filed against a household, it is likely to result in a forced move.

Regardless of the outcome of an eviction filing, a court record could have durable consequences on the lives of tenants. In both states, nearly every landlord we interviewed claimed to categorically reject applicants with any negative rental history, be it money owed or an eviction filing, even if it did not culminate in a judgement for the plaintiff. According to Courtney, the manager at Palmetto Creek, “A bunch of eviction filings, that’s a big red flag” when reviewing applicants. In Charleston, the court index was free for the public to access online. A property manager could access an applicant’s eviction history by simply entering her or his full name. Even with the knowledge that court filings did not always lead to evictions, property managers in South Carolina adopted tenant screening requirements equivalent to those in Alabama.

Under South Carolina’s high serial eviction regime, some tenants accumulated multiple eviction filings and, as such, had difficulty securing subsequent housing. Lelani Rey, a 29-year old college student, was evicted three times. She believed that her eviction record made apartment searching more difficult, even among apartment communities serving low-income tenants. After being rejected by multiple apartment complexes, she was finally accepted for a rented mobile home far removed from the city center, where she went to school. When Lelani moved in, she spent her own money replacing four windows, removing infested carpet, and power-washing the exterior walls. The plumbing was almost non-existent, so she ran a garden hose from the sink to the showerhead to bathe. Tenants with negative rental histories often had no choice but to select from limited, substandard housing options (see also Desmond 2016).

Tenants living under the regular threat of eviction also reported suffering psychological strain. The stress affected not only individuals served with eviction notices but also their neighbors. In Charleston, many tenants with whom we spoke had witnessed neighbors being evicted or threatened with eviction. Eviction notices were visible—pink slips hung on door knobs with rubber bands—and constantly reminded tenants of the risk of losing their home. Two of Susan Berry’s neighbors at Magnolia Downs in Charleston had been evicted. She remembered the notices hung on their doorknobs and, later, the police checking to make sure they were gone. When Susan herself received a late notice, she was “scared to death” and overcome with a “total fear [of] ‘What if I get kicked out of here? What if I only have 30 days?’”

Susan further explained that this fear of displacement instilled a sense of distrust in the community:
I think I’ve learned through the years that it’s probably best just to keep your nose clean, just to follow what they say, because you can be evicted in a skinny minute. Also, [I] try and keep pretty much to myself with my neighbors as well, because I know that the neighbors have gone and complained, just in this area, about other neighbors. They write that in your file, and so when it comes down to it, they’ll look at it and go, “She’s kind of been a problem anyway.”

This stress was accompanied by a sense of helplessness. Living in professionalized communities, where property managers adhered to strict rental policies, tenants felt they had little recourse when faced with the threat of eviction. As Craig from Charleston expressed, “[The property managers] were sympathetic, but they still want[ed] their rent.” So while he was sick, he felt “bad because there’s nothing I can really do because I can’t [work]. … So it was kind of stressful, but it is what it is.”

The frustration about the lack of support and flexibility was acute not only among residents in private communities but also from those in public housing. Just like other apartment complexes we visited, the Charleston City Housing Authority had rental policies that led to routine eviction filings. A resident living in a public housing community on the West side of Charleston explained that receiving eviction notices made him feel “bad. Knowing that I’m disabled … and it’s not thirty days [since I have been late]. Go on. Lock my door and kick my stuff out, that’s not cool. You know? Especially if you’re disabled, and most people here are low income… [and] have some disability or housing, single parents, or whatever.” He felt that the eviction notices were there “to try to scare me… to make you hurry up.” At communities serving lower-income families, the practice of serial eviction filings contributed to their stress, social isolation, and financial strain.

**Discussion**

This is the first study to document serial eviction filing, the process whereby tenants are threatened with displacement multiple times, at the same residence, over a compressed timespan. It identified this previously-neglected pattern by drawing on millions of individual-level eviction records culled from 28 states between 2010 and 2016. Serial eviction proved to be a surprisingly common occurrence: over one-third of households facing eviction in 2014 were filed against repeatedly. In these cases, eviction was not a single event, the reluctant end of a drawn-out process. Rather, in some areas of the county, eviction resembled a repeated and routine process, one that entailed significant financial costs and stress. Interviews in South Carolina and Alabama illuminated the dynamics and consequences of serial eviction filings. In South Carolina, property managers used eviction filings for rent and fee collection, even as most did not expect to actually displace tenants. In Alabama, where the cost of executing an eviction was considerably higher, eviction served instead as a last resort to recover possession of a unit. Regardless of the outcomes of the eviction filings, tenants bore the financial costs accrued from court costs and late fees, every time they were filed against. The findings of this study provide evidence that standard indicators fail to adequately capture the scale of the current affordable housing crisis. Tenants are at more regular risk of eviction than previously understood, and their rent burden significantly increased as a function of serial eviction filings.
Eviction is not simply a function of the housing crisis or the persistence of poverty. It is also a product of ownership structure and management strategies. As increasingly-large segments of the housing market are consolidated under corporate landlords, new tools and methods have been devised to extract returns from those investments. Interviews with property managers served to demonstrate the sorts of pressures they face to meet rental income metrics. Strict collection policies create and reify the problem of lateness, a strategy that ultimately serves to improve the profitability of housing as an investment strategy. These pressures are reflected in results from the multivariate analysis, where we observed a positive association between the percentage of evictions filed by business entities and the serial proportion in a given tract. Professionally-managed rental communities may also charge higher rents, which could explain our finding that those at risk of serial eviction were not necessarily the poorest renters. Tracts with the highest serial proportions had above-average rents. This finding highlights the need to consider how a broader population of the working poor may be affected by previously unobserved forms of housing insecurity. The increasing income volatility of the working poor may be leading to regular threats to their housing stability, especially in certain parts of the country where there are low barriers to eviction.

Civil courts are not a neutral arbiter in the interactions between owners and tenants. Both quantitative and qualitative results highlighted the significance of legal codes and the civil courts in explaining variations in serial eviction rates. Serial eviction was more prevalent in legal and regulatory environments that made evictions quick and cheap. Areas with lower barriers to eviction allowed landlords to use the court system—functionally free of charge, given that fees are passed on to tenants—to collect rent and late fees under threat of removal. In these parts of the country, the courts exacerbate the unequal power dynamics between landlords and tenants.

Surprisingly, the Fair Housing Act creates an unexpected motivation for property managers to file in bulk and repeatedly against the same tenants. Multiple managers cited the need to treat all tenants equally—and the fear of being accused of discrimination—as grounds for their policies to file for eviction against all past-due tenants, regardless of circumstances. We found, in other words, that a statute meant to protect renters was also being used to threaten more tenants with eviction. The sort of landlord discretion that previously would have kept some tenants out of eviction court was being supplanted by a push toward uniform treatment and behavior, an unexpected externality of an anti-discrimination policy. Most studies on the Fair Housing Act have focused on the selection of tenants (the entry), but this study points to the other end of the rental process (the exit) that has not received sufficient attention in the literature.

Even when they were not removed from their homes, tenants still suffered consequences from serial eviction filings. Tenants’ rental history were blemished by repeated filings, creating barriers to future mobility even when the initial filings never resulted in their removal. Tenants faced financial consequences from eviction filings which, by definition, were accruing to a population that was already struggling to pay rent. This represented a new sort of rent burden that scholars and policymakers have overlooked. Being filed against multiple times translated into excess rent in the form of court fees. Late fees—applied when tenants were unable to pay rent by a set date—were also an important part of this new form of rent burden. While functionally separate from the question of serial evictions, eviction filings served as an effective disciplinary
tool that property managers employed to ensure payment of these fees. We estimated that the combination of late fees and court costs amounted to an average of $190 across the 28 states in our sample. For those tenants who paid to stay, doing so involved a rent hike of 21.9%, on average. As landlords and property managers benefited from the use of the court system for private gain, tenants bore the costs.

Future research on serial evictions should attend to the full gamut of consequences of these filings for tenants. Several of the renters with whom we spoke in high serial case areas—even those who did not themselves face eviction—experienced stress and fear induced by the looming threat of eviction. How does this stress affect their engagement with the community or with politics? Does it affect their health and well-being? The spatial disparities in serial eviction documented above provide ample variation that could be exploited for analysis on these topics. Another area of future investigation concerns the effects that excess eviction filings have on the courts. We found that more than 50% of the unique eviction filings in our sample in 2014 were related to a serial case. These excess filings are not evenly distributed. In South Carolina, for instance, 73% of all filings were related to a serial case. How does this deluge of eviction filings affect the workings of the courts? Are tenants’ concerns able to be heard when the courts are dealing with a massive quantity of cases?

This study relied on court-ordered eviction records, which do not account for informal evictions in which landlords simply change the locks or verbally tell tenants to move (Desmond and Shollenberger 2012). We expect that informal evictions do not lend themselves to serialization. However, it is possible that we were unable to observe some serial eviction cases in which informal eviction follows a first pass through the court system. Future work could explore the relationship between serial filings and informal evictions. It is plausible that the higher barriers to file in Alabama—which help reduce serial filing rates—may also result in landlords carrying out more informal evictions. Fully accounting for such patterns requires alternate data sources that can capture a more complete picture of renters’ residential histories.

Policies to reduce serial eviction filings should focus on shifting the likelihood that an eviction case is filed in the first place, and not just on changing the odds that it is decided in favor of a tenant. Policymakers and housing advocates have focused on expanding tenant representation in eviction court (Kleinman 2004; City of New York 2017). While these policies may be effective, our findings suggest that smaller changes to the legal operations of civil courts—changes to filing fees, attorney requirements, or eviction notice requirements—could have immediate and tangible effects on a city’s eviction dynamics. Specifically, the findings of this study suggest that raising eviction filing fees could deter property managers from executing serial eviction cases. We found that the serial eviction proportion is over five percentage points lower in tracts where the filing fee is over $200. However, potential externalities should be considered. As court costs are routinely shifted to tenants, high fees could make it harder for tenants to pay to stay. A potentially more effective legal policy, then, would be to ban property managers from changing tenants court or late fees if the tenant is able to make rent by the end of the month. In a time of increasing income volatility and schedule unpredictability (Western 2012), the low-wage housing market should not be insensitive to new realities that have taken hold in the low-wage labor market. At minimum, the legal system should not validate such insensitivity by acting as a debt-collection service.
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Figure 1. County-level serial household proportions in America, 2014.
**Figure 2.** Distribution of filings per household, by state.
Table 1. Summary statistics

<table>
<thead>
<tr>
<th>Variable</th>
<th>Mean</th>
<th>SD</th>
<th>Min</th>
<th>Max</th>
</tr>
</thead>
<tbody>
<tr>
<td>Serial proportion</td>
<td>23.47</td>
<td>20.90</td>
<td>0</td>
<td>100</td>
</tr>
<tr>
<td>Majority White (renters)</td>
<td>0.70</td>
<td>0.46</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Majority black (renters)</td>
<td>0.13</td>
<td>0.34</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Median renter household income (in thousands)</td>
<td>37.79</td>
<td>19.31</td>
<td>2.5</td>
<td>250</td>
</tr>
<tr>
<td>Median household rent (in hundreds)</td>
<td>9.28</td>
<td>3.48</td>
<td>1.14</td>
<td>35.01</td>
</tr>
<tr>
<td>% Households with children under 18 (renters)</td>
<td>36.02</td>
<td>16.73</td>
<td>0</td>
<td>100</td>
</tr>
<tr>
<td>% Female-headed households (renters)</td>
<td>36.12</td>
<td>19.25</td>
<td>0</td>
<td>100</td>
</tr>
<tr>
<td>% Bachelor's degree or more (renters)</td>
<td>22.33</td>
<td>18.53</td>
<td>0</td>
<td>100</td>
</tr>
<tr>
<td>% Renter household</td>
<td>36.62</td>
<td>21.57</td>
<td>0</td>
<td>100</td>
</tr>
<tr>
<td>Renter household population</td>
<td>622</td>
<td>473</td>
<td>0</td>
<td>4729</td>
</tr>
<tr>
<td>% of plaintiffs that are businesses</td>
<td>52.53</td>
<td>22.97</td>
<td>0</td>
<td>100</td>
</tr>
<tr>
<td>Vacancy Rate (renters)</td>
<td>6.25</td>
<td>7.28</td>
<td>0</td>
<td>92.87</td>
</tr>
<tr>
<td>Gentrification indicator</td>
<td>0.11</td>
<td>0.32</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Eviction filing rate</td>
<td>7.62</td>
<td>13.82</td>
<td>0.05</td>
<td>1372.62</td>
</tr>
<tr>
<td>Indicator for high filing fee ($200 or above)</td>
<td>0.09</td>
<td>0.29</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Indicator if lease cannot be served as late notice</td>
<td>0.93</td>
<td>0.26</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Indicator if there is any form of requirement for attorneys</td>
<td>0.30</td>
<td>0.46</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Indicator if there is any form of requirement over costs recoverable</td>
<td>0.08</td>
<td>0.27</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Indicator if courts automatically schedule hearings</td>
<td>0.70</td>
<td>0.46</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Number of courts within county</td>
<td>3.24</td>
<td>3.96</td>
<td>0</td>
<td>16</td>
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</table>
### Table 2. Demographic and eviction statistics for Charleston County, SC and Mobile County, AL

<table>
<thead>
<tr>
<th></th>
<th>Charleston County, SC</th>
<th>Mobile County, AL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total population</td>
<td>380,673</td>
<td>414,291</td>
</tr>
<tr>
<td>Renter household</td>
<td>59,679</td>
<td>52,495</td>
</tr>
<tr>
<td>% Renter homes</td>
<td>40%</td>
<td>34%</td>
</tr>
<tr>
<td>% White (renters)</td>
<td>56%</td>
<td>43%</td>
</tr>
<tr>
<td>% Black (renters)</td>
<td>36%</td>
<td>49%</td>
</tr>
<tr>
<td>Median renting household income</td>
<td>36,308</td>
<td>25,261</td>
</tr>
<tr>
<td>Poverty rate</td>
<td>11%</td>
<td>16%</td>
</tr>
<tr>
<td>Eviction rate</td>
<td>3.39%</td>
<td>2.42%</td>
</tr>
<tr>
<td>Household serial proportion</td>
<td>52.46%</td>
<td>5.63%</td>
</tr>
</tbody>
</table>
Table 3. Linear regression estimates of Census tract serial proportion in 2014, standard errors clustered at county

<table>
<thead>
<tr>
<th>VARIABLES</th>
<th>Coefficient</th>
<th>Standard Error</th>
</tr>
</thead>
<tbody>
<tr>
<td>Majority White (renters)</td>
<td>-6.180***</td>
<td>1.273</td>
</tr>
<tr>
<td>Majority Black (renters)</td>
<td>(2.224)</td>
<td>(1.407)</td>
</tr>
<tr>
<td>Median renter household income (in thousands)</td>
<td>0.0143</td>
<td>(0.0216)</td>
</tr>
<tr>
<td>Median renter household income (squared)</td>
<td>-0.000380</td>
<td>(0.000304)</td>
</tr>
<tr>
<td>Median household rent (in hundreds)</td>
<td>1.208***</td>
<td>(0.233)</td>
</tr>
<tr>
<td>Median household rent (squared)</td>
<td>-0.0784***</td>
<td>(0.0156)</td>
</tr>
<tr>
<td>% Female-headed households (renters)</td>
<td>0.0574***</td>
<td>(0.0173)</td>
</tr>
<tr>
<td>% Households with children under 18 (renters)</td>
<td>0.0213</td>
<td>(0.0244)</td>
</tr>
<tr>
<td>% Bachelor's degree or more (renters)</td>
<td>0.0545*</td>
<td>(0.0257)</td>
</tr>
<tr>
<td>% Renter household</td>
<td>0.0120</td>
<td>(0.0185)</td>
</tr>
<tr>
<td>Log(Renter household population)</td>
<td>1.276**</td>
<td>(0.476)</td>
</tr>
<tr>
<td>% of plaintiffs that are businesses</td>
<td>0.137***</td>
<td>(0.0263)</td>
</tr>
<tr>
<td>Vacancy Rate (renters)</td>
<td>-0.0503</td>
<td>(0.100)</td>
</tr>
<tr>
<td>Majority White x Vacancy Rate</td>
<td>0.0402</td>
<td>(0.0893)</td>
</tr>
<tr>
<td>Majority Black x Vacancy Rate</td>
<td>-0.188</td>
<td>(0.112)</td>
</tr>
<tr>
<td>Gentrification indicator</td>
<td>0.766</td>
<td>(0.408)</td>
</tr>
<tr>
<td>Eviction filing rate</td>
<td>0.326</td>
<td>(0.202)</td>
</tr>
<tr>
<td>Indicator for high filing fee ($200 or above)</td>
<td>-5.510*</td>
<td>(2.496)</td>
</tr>
<tr>
<td>Indicator if lease cannot be served as late notice</td>
<td>-5.038*</td>
<td>(2.276)</td>
</tr>
<tr>
<td>Indicator if there is any form of requirement for attorneys</td>
<td>-6.731***</td>
<td>(1.811)</td>
</tr>
<tr>
<td>Indicator of requirement over costs recoverable</td>
<td>1.588</td>
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</tr>
<tr>
<td>Indicator if courts automatically schedule hearings</td>
<td>2.272 (2.315)</td>
<td></td>
</tr>
<tr>
<td>Number of courts within county</td>
<td>0.131 (0.395)</td>
<td></td>
</tr>
<tr>
<td>Constant</td>
<td>2.390 (4.797)</td>
<td></td>
</tr>
</tbody>
</table>

| Observations | 21072 |
| R-squared | 0.264 |

Robust standard errors in parentheses. *** p<0.001, ** p<0.01, * p<0.05
Table A1. Descriptive statistics of serial cases in 2014

<table>
<thead>
<tr>
<th>State</th>
<th>State-level serial household proportion</th>
<th>Number of tracts included</th>
<th>Mean tract serial household proportion</th>
<th>SD serial proportion</th>
<th>Median number of months between cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>AL</td>
<td>11.0</td>
<td>1,043</td>
<td>8.3</td>
<td>10.9</td>
<td>4.43</td>
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<tr>
<td>DE</td>
<td>56.3</td>
<td>208</td>
<td>48.6</td>
<td>18.4</td>
<td>4.03</td>
</tr>
<tr>
<td>FL</td>
<td>32.3</td>
<td>2,034</td>
<td>30.3</td>
<td>19.9</td>
<td>0.77</td>
</tr>
<tr>
<td>GA</td>
<td>38.1</td>
<td>1,247</td>
<td>31.2</td>
<td>16.1</td>
<td>2.10</td>
</tr>
<tr>
<td>IA</td>
<td>25.7</td>
<td>517</td>
<td>16.7</td>
<td>18.4</td>
<td>2.00</td>
</tr>
<tr>
<td>IL</td>
<td>8.0</td>
<td>564</td>
<td>5.5</td>
<td>10.7</td>
<td>5.33</td>
</tr>
<tr>
<td>IN</td>
<td>7.8</td>
<td>351</td>
<td>5.2</td>
<td>10.8</td>
<td>3.40</td>
</tr>
<tr>
<td>KS</td>
<td>9.7</td>
<td>228</td>
<td>4.5</td>
<td>10.1</td>
<td>1.63</td>
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<tr>
<td>KY</td>
<td>34.7</td>
<td>266</td>
<td>25.2</td>
<td>20.3</td>
<td>3.00</td>
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<tr>
<td>MA</td>
<td>28.4</td>
<td>355</td>
<td>23.0</td>
<td>17.3</td>
<td>8.60</td>
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<tr>
<td>MI</td>
<td>34.7</td>
<td>424</td>
<td>27.3</td>
<td>16.7</td>
<td>3.53</td>
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<tr>
<td>MN</td>
<td>19.7</td>
<td>835</td>
<td>16.4</td>
<td>16.2</td>
<td>3.73</td>
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<tr>
<td>MO</td>
<td>15.8</td>
<td>1,315</td>
<td>12.5</td>
<td>13.3</td>
<td>5.40</td>
</tr>
<tr>
<td>MS</td>
<td>26.1</td>
<td>132</td>
<td>13.0</td>
<td>22.0</td>
<td>2.57</td>
</tr>
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<td>NC</td>
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<td>2,004</td>
<td>31.6</td>
<td>18.1</td>
<td>2.23</td>
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<tr>
<td>NE</td>
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<td>15.9</td>
<td>15.5</td>
<td>3.20</td>
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<td>24.5</td>
<td>18.9</td>
<td>2.53</td>
</tr>
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<td>NV</td>
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<td>489</td>
<td>30.5</td>
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<td>1.63</td>
</tr>
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<td>OH</td>
<td>22.6</td>
<td>2,683</td>
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<td>15.3</td>
<td>3.33</td>
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<td>OK</td>
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<td>10.4</td>
<td>15.9</td>
<td>1.97</td>
</tr>
<tr>
<td>OR</td>
<td>23.0</td>
<td>670</td>
<td>19.1</td>
<td>15.9</td>
<td>3.00</td>
</tr>
<tr>
<td>SC</td>
<td>46.3</td>
<td>729</td>
<td>36.6</td>
<td>17.0</td>
<td>2.10</td>
</tr>
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<td>TX</td>
<td>41.7</td>
<td>2,416</td>
<td>35.4</td>
<td>25.1</td>
<td>1.07</td>
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<td>UT</td>
<td>10.6</td>
<td>436</td>
<td>11.9</td>
<td>17.7</td>
<td>3.03</td>
</tr>
<tr>
<td>VA</td>
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<td>966</td>
<td>36.3</td>
<td>22.4</td>
<td>1.83</td>
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<tr>
<td>WA</td>
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<td>13.1</td>
<td>3.30</td>
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<tr>
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<td>14.8</td>
<td>16.7</td>
<td>5.80</td>
</tr>
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<td>8.6</td>
<td>3.97</td>
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