

Revealing Opportunities and Challenges: An Analysis of Eviction Filings in Pennsylvania

The Housing Alliance of Pennsylvania
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Note to readers: Many of the plots presented in the report are also available as interactive versions online, allowing you to explore data for specific counties. You can access the interactive versions by clicking on the plots in the report, or view the online version of the report [here](#).



**Housing Alliance
of Pennsylvania**

The Housing Alliance is a statewide coalition working to provide leadership and a common voice for policies, practices, and resources to ensure that all Pennsylvanians, especially those with low incomes, have access to safe, decent and affordable homes.

We promote common-sense solutions to balance Pennsylvania's housing market and increase the supply of safe, decent homes for low-income people.



Acknowledgements

This report would not have been possible without the help of many individuals and organizations.

We would like to thank Jennifer Lopez (Executive Director of the Friends Association in Chester County) and Don Smith (volunteer attorney with Mid-Penn Legal Services in Berks County) for sharing about their programs. We thank the Administrative Office of Pennsylvania Courts for their prompt assistance with landlord-tenant court data, as well as Eviction Lab and the Legal Services Corporation for their work in making eviction data publicly available. We thank the local governments and nonprofit organizations that are administering the Emergency Rental Assistance Program (ERAP) at the local level as ERAP has had a significant impact on reducing eviction filings and evictions during the pandemic.

Recognizing those who made our work possible



If you or someone you know is facing housing instability, contact:

Pennsylvania 211

From help with a utilities bill, to housing assistance, after-school programs for kids, and more, you can dial 211 or text your zip code to 898-211 to talk with a resource specialist for free. Specialists will listen to your needs, and give you information on programs in your community that might be able to help.

Dial [2-1-1](tel:211) or visit <https://www.pa211.org/>

Pennsylvania Legal Aid

The Pennsylvania Legal Aid Network is a statewide consortium of independent legal aid programs that provides civil legal assistance to low-income individuals and families

Call [1-800-322-7572](tel:18003227572) or visit <https://palegalaid.net/>

PA Link to Community Care

The PA Link to Community Care website is designed to help persons with disabilities and seniors find information that will connect them to supports and services in their community.

Call [1-800-753-8827](tel:18007538827) or visit <http://www.carelink.pa.gov/>

Emergency Rental and Utility Assistance

To learn how to apply for emergency rental and utility assistance in your county, visit <https://www.compass.state.pa.us/Compass.Web/RAP/Application>.

COMPASS

COMPASS is an online tool for Pennsylvanians to apply for many health and human service programs and manage benefit information.

Visit <https://www.compass.state.pa.us/compass.web/Public/CMPHome>

Pennsylvania Utility Commission

[Search programs to help pay your utility bills.](#)

Visit <https://www.papowerswitch.com/your-rights-and-protections/help-paying-your-bill>

Visit [our website](#) to learn more about our eviction prevention work

Introduction: Evictions' Widespread Effects

An eviction is one of the most traumatic events that a family can experience. Evictions inflict tremendous costs on renters, landlords, neighborhoods, and communities. They deprive families of stable homes, which has cascading effects on economic, physical, and mental well-being, and disrupt the fabric of the neighborhoods in which they take place. As the COVID-19 pandemic continues, we also know that evictions exacerbate the spread of COVID-19, endangering renter families and jeopardizing broader public health.¹

Rental housing opportunities depend on landlords who are able to meet their own financial and operational obligations, including regular maintenance and repairs of their properties. Many landlords are often individuals operating as a small business on tight margins. As tenants struggle to meet financial obligations, the landlords also are unable to meet their own financial and operational obligations. Too often, the tenant - landlord relationship can seem adversarial and crisis experienced by either party can add tension to this relationship. Tenants and landlords need each other to be successful and implementing solutions to prevent evictions are mutually beneficially in most instances.

Evictions also help drive the perpetuation of racial inequalities in housing. Black renters are evicted at a much higher rate than white renters.² The consequences of those evictions then reinforce racial inequalities in other aspects of life, such as health, education, and financial security. Information on when, where, and how eviction cases are being processed helps us to understand the causes of evictions, identify communities most vulnerable to eviction, and find solutions to keep renters housed, make landlords whole, and communities stable. Tracking evictions over time also allows us to see changes and trends in housing insecurity. As communities implement eviction prevention and diversion efforts, such as court-based diversion programs, alternative dispute resolution, and rental assistance, we can document the effects of these programs on evictions and inform what is working well and what more needs to be done.

To support these goals, we set out to build a picture of evictions in Pennsylvania that is both detailed and as geographically comprehensive as possible. In our analyses, we relied on several data sources. First, we submitted a public records request from the Administrative Office of Pennsylvania Courts (AOPC) for eviction cases filed in 2021 and 2019.³ This allowed us to examine, at a granular level, how many eviction cases were filed, how judges ruled in those cases, how many cases potentially led to a physical lockout, and

¹ Kathryn M Leifheit et. al. Expiring Eviction Moratoriums and COVID-19 Incidence and Mortality, *American Journal of Epidemiology*, 190(12) 2503-2510, Dec. 2021, <https://doi.org/10.1093/aje/kwab196>

² Eviction Lab, "Racial and Gender Disparities among Evicted Americans", 2020. <https://evictionlab.org/demographics-of-eviction/>

³ Docket sheets for individual cases can be accessed on the [Unified Judicial System of Pennsylvania Web Portal](#), but it is difficult to obtain data in bulk with this method.

how much rent in arrears were awarded to landlords, all localized down to the ZIP code level.

For comparative purposes, we analyzed 2019 pre-pandemic eviction filing data to 2021 eviction filing data. The state-level case tracking system does not include cases filed in Philadelphia. For Philadelphia eviction filings, we used Eviction Lab's publicly available data on its website.⁴ The Philadelphia data do not include every field available in the data obtained from the AOPC; therefore, many of our analyses do not include Philadelphia cases. Lastly, we included eviction filings data from the Legal Services Corporation Eviction Tracker for periods not covered by our data request from AOPC.⁵

Eviction Filings from 2019 through 2021

Eviction Filings Increased in 2021 but Still Remain Below Pre-Pandemic Levels

In 2021, 66,193 eviction cases were filed in Pennsylvania. There were 116,287 eviction cases filed in 2019.⁶ Figure 1 shows the number of eviction cases filed each week in 2020 and 2021 and the effects of eviction moratoria on the number of evictions filed. At the beginning of the pandemic, the state instituted an eviction moratorium and eviction filings dropped to near-zero. When the state moratorium expired at the end of August 2020, filings initially increased to an extremely high level, with around 3,500 filings in the few days where no eviction moratorium was in effect. Filings dropped after the CDC moratorium came into effect on September 4, 2020, though at a more elevated level than during the PA state-level moratorium

In August 2021, the original CDC eviction moratorium expired and was replaced by a moratorium based on county-level COVID-19 transmission. The Supreme Court invalidated the new moratorium on August 26, 2021. The number of eviction filings in August resembled the immediately preceding months, though eviction filings increased in September and have generally remained at a higher level than during the CDC moratorium.

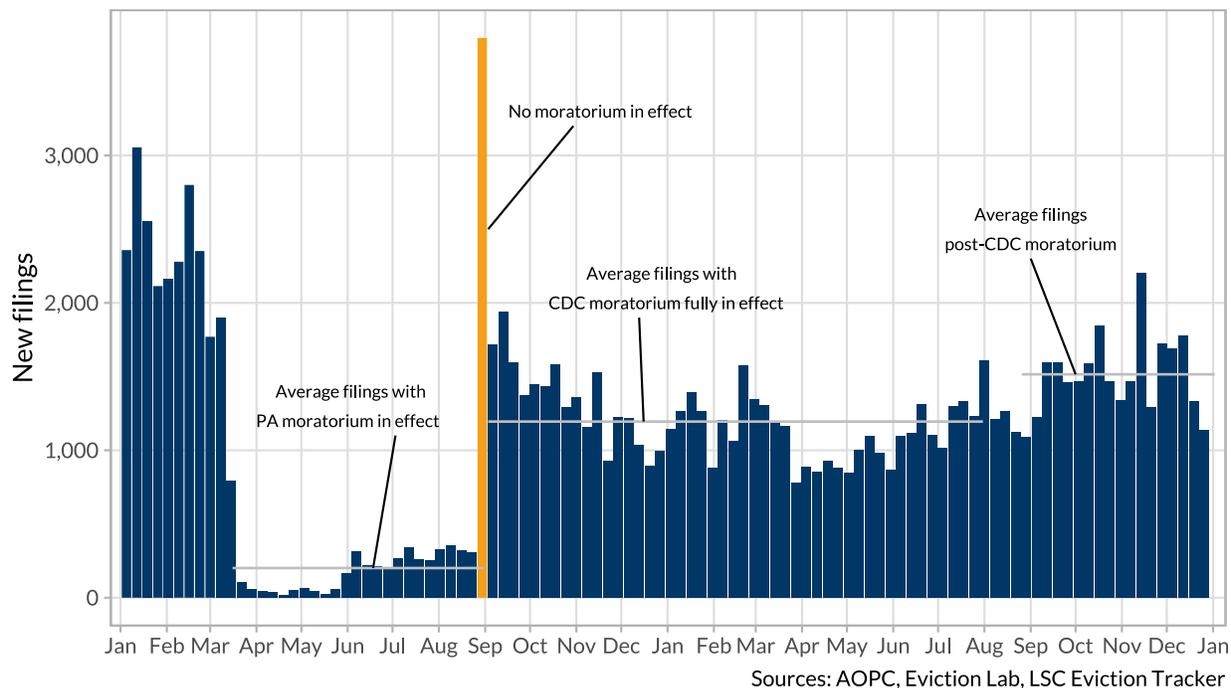
From September to December 2021 (after the CDC moratorium was invalidated) new filings were at 70% of filings made in the same months in 2019. Even with this lower eviction filing rate, approximately 1,500 families were being filed against each week in the last four months of 2021.

⁴ Available at <https://evictionlab.org/eviction-tracking/philadelphia-pa/>

⁵ Available at <https://www.lsctracker.org/summary>

⁶ A very small percentage of cases were filed against defendants which were clearly businesses. In all further analyses, those cases were excluded.

Figure 1. New Eviction Filings in Pennsylvania by Week, 2020-2021



You can explore eviction filings by county by clicking on the figure above

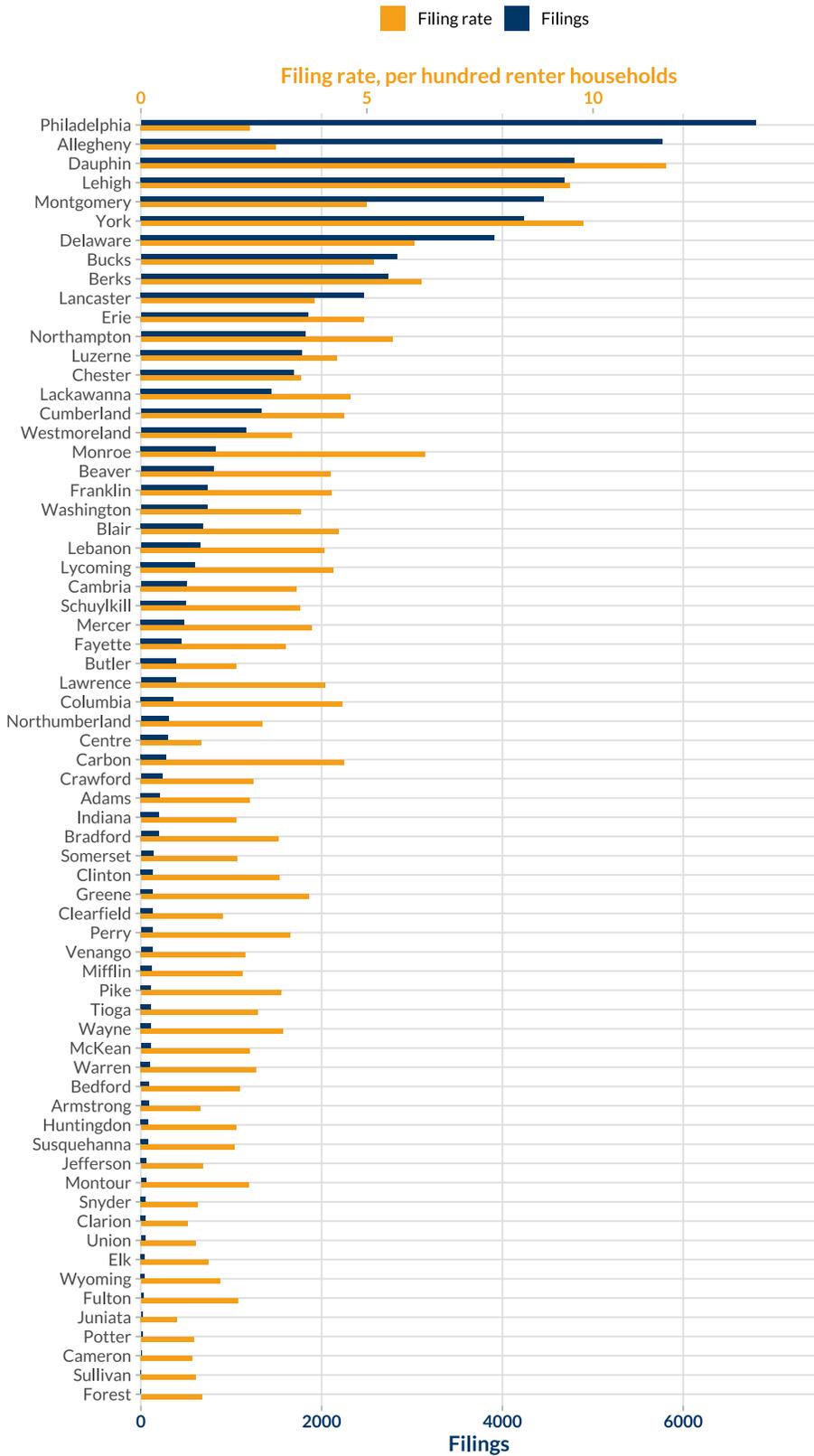
Eviction Filing Rates Show the Prevalence of Evictions Across Pennsylvania

We compared the number of eviction filings to the renter population to calculate the eviction filings rate.⁷ Controlling for the renter population allows us to compare the prevalence of evictions across geographies. In Figure 2, we present both the number of eviction filings and the eviction filing rate for every county. (You can explore filings and filing rates for counties of your choice by clicking on the figure.)

We see that while high-population counties like Philadelphia and Allegheny County top the list in terms of the number of eviction filings, the highest rates of eviction are not always found in those same counties. When we control for how many renters live in a county by calculating an eviction filing rate, we see that evictions are an issue that impact a significant percentage of renters in counties across the Commonwealth, not just in the largest cities. The eviction filing rates are the number of renter households out of 100 renter households that received an eviction complaint.

⁷ For renter population, we use American Community Survey 2019 5-year estimates for the number of renter households in the jurisdiction. Due to pandemic-related issues, no more recent reliable estimates of households by housing tenure are available.

Figure 2. Eviction Filings and Filing Rates by County, 2021



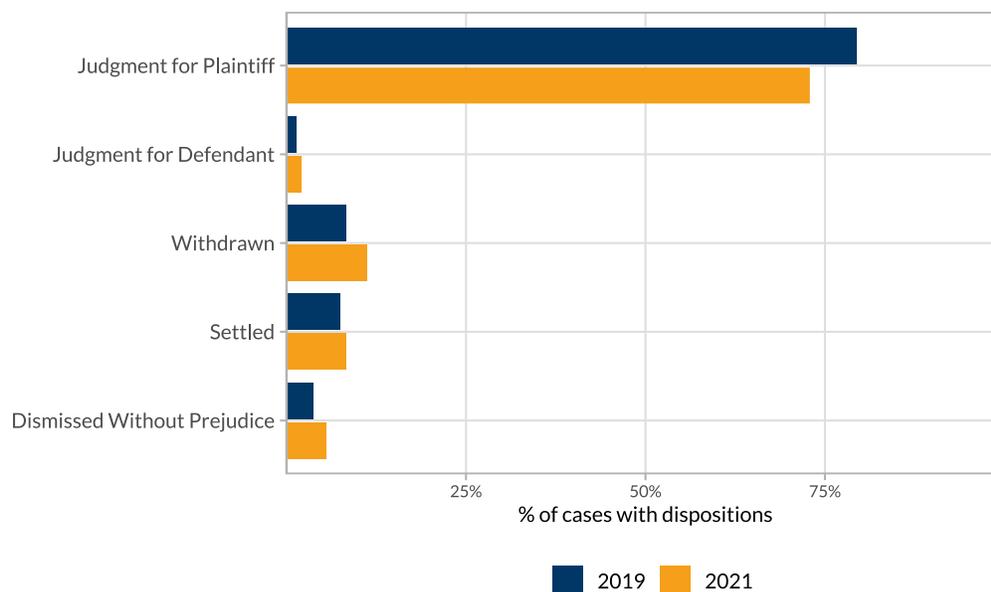
Sources: AOPC, Eviction Lab, LSC Eviction Tracker
 Filings rate is filings divided by number of renter households in the county, Census ACS 2019 5-year

Case Dispositions – Working Towards Mutually Beneficial Solutions

Once an eviction case is filed, a hearing is scheduled before a judge. Unless the case is withdrawn by the landlord or settled between the landlord and tenant, the judge can decide the case for the plaintiff (the landlord), decide for the defendant (tenant), or dismiss the case without prejudice (meaning the plaintiff/landlord is free to re-file the case at another time).

Figure 3 shows how often each of these outcomes occurred for eviction cases (excluding Philadelphia cases) filed in 2021 compared to cases filed in 2019.⁸ In both years, judgments for the plaintiff (in practice, the landlord) accounted for the vast majority of cases that reached a disposition. However, 2021 saw a slight decrease in the percentage of cases found for landlords, with a small corresponding increase in cases that were withdrawn, settled, or dismissed. Although the CDC eviction moratorium was invalidated in August, case dispositions were similar in September and October to cases in June and July.

Figure 3. Disposition Status of Eviction Cases, 2019 and 2021



Source: AOPC
Statewide data does not include Philadelphia

You can explore the disposition status of cases in specific counties of your choice by clicking on the figure above

⁸ A small percentage of cases that are filed do not reach any disposition in the dataset; those cases are not included here. Dispositions that are superseded by later dispositions (e.g., a dismissal that is later refiled and reaches judgment) are not included. Any cases that have multiple non-superseding dispositions (e.g., different judgments for different defendants in the same case) are also not included. A disposition of 'Landlord/Tenant Reinstatement' (i.e., a case that has been refiled) is not included since by definition another disposition will supersede this status in the case.

Orders of Possession

If a judge rules for the landlord in an eviction case, the landlord can then petition the judge for an order of possession. An order of possession is a legal instrument that authorizes the constable (or sheriff) to physically eject or lock out the tenant from the property, as soon as 11 days after the order of possession has been served to the tenant.⁹

By the close of 2021, orders of possession were issued in 17,180 eviction cases (not including Philadelphia cases); therefore, 29% of eviction cases reached a stage where a legal eviction may take place. In 2019, 39,030 eviction cases were issued an order of possession, or 41% of cases that were filed (outside of Philadelphia). The lower rate in 2021 is most likely due to the CDC eviction moratorium.¹⁰ Since the eviction moratorium was invalidated in August 2021, the number of orders of possession being issued appear to be increasing each month. For instance, 1,367 orders of possession were issued in July 2021 and 1,945 were issued in October 2021.

A tenant can only be legally evicted if an order of possession is issued and served. In cases only involving rent in arrears, tenants have the legal option to stay in the home if they pay the money judgment against them before and up to the lockout.¹¹ A complicating factor in knowing if tenants “pay and stay” is that the party that reports the satisfaction of the money judgment to the court is the landlord. Since reporting the satisfaction of judgment is not a requirement, nearly all legal records do not indicate if tenants met their legal financial obligation.

If the initial order of possession did not result in a lockout, a landlord may obtain a second order of possession within 120 days of the judgment without filing a new eviction complaint and having a hearing.¹² In theory, even if a tenant pays their legal financial obligation, tenants can still be at risk of being legally evicted through a re-issued order of possession since landlords are not required to report the satisfaction of the judgment to the court.

In cases where the landlord prevails at judgment but no order of possession has been issued, we cannot determine from the available data what the end result is for the tenant or the landlord. The gap between the number of filings and the number of orders of possession issued shows that a large percentage of filed cases may not legally move to actual ejections. Tenants may also be displaced without an order of possession because they leave before the constable’s lockout or through illegal means, such as a landlord

⁹ This procedure is slightly different in Philadelphia, but our dataset does not include Philadelphia data for orders of possession.

¹⁰ One interpretation of the CDC eviction moratorium was that landlords could pursue an eviction case up to, but not including, the actual eviction

¹¹ Allegheny County Department of Human Services, “How an Eviction Case Proceeds Through Allegheny Courts,” September 2020, p.6. https://www.alleghenycountyanalytics.us/wp-content/uploads/2020/11/20-ACDHS-19-EvictionSupport_v4.pdf

¹² Ibid., p. 5-7.

changing the locks or disconnecting the utilities. Given these limitations, the issuance of an order of possession is the best proxy available to us for the displacement caused by the eviction process.

Local Court-Based Solutions Achieving Win-Win Results

The magnitude of the eviction crisis calls for focused solutions to prevent and divert evictions. We provide brief looks at two locally based programs, one in Chester County and one in Berks County, to examine the potential of court-based programs to reduce evictions. The effects of the eviction diversion programs in Chester and Berks Counties are clearly seen in the eviction case data, which show that connecting tenants at risk of eviction to rental assistance, supportive services, and legal representation can reduce the number of evictions.

Chester County Eviction Prevention Court – Reaching Settlement Agreements

The Friends Association of Care and Protection for Children (Friends Association) launched the Eviction Prevention Court in Chester County, Pennsylvania, in September 2020. It is a program in partnership with three of Chester County's Magisterial District Judges (MDJs).¹³ It provides rental assistance along with supportive services and/or legal representation to tenants who appear before the court for an eviction filing. The courts participating in the program cover communities with comparatively high numbers of eviction filings.

Through a weekly right to know request, the court coordinator receives a list of the eviction hearings before the hearing date. They contact the tenants, including going door-to-door, to introduce them to the program and if the tenant wants to participate, they try to complete all intake before the hearing. On the day of the hearing, a contract attorney represents the tenant who, along with a court coordinator, work to develop a settlement with the landlord so that the tenant may remain in their home.

The Housing Alliance analyzed eviction filings in Chester County courts. We compared the eviction filings in the courts of the three participating MDJs to the other magisterial district courts in Chester County. We also compared cases from 2019, before the program began, to cases in 2021.

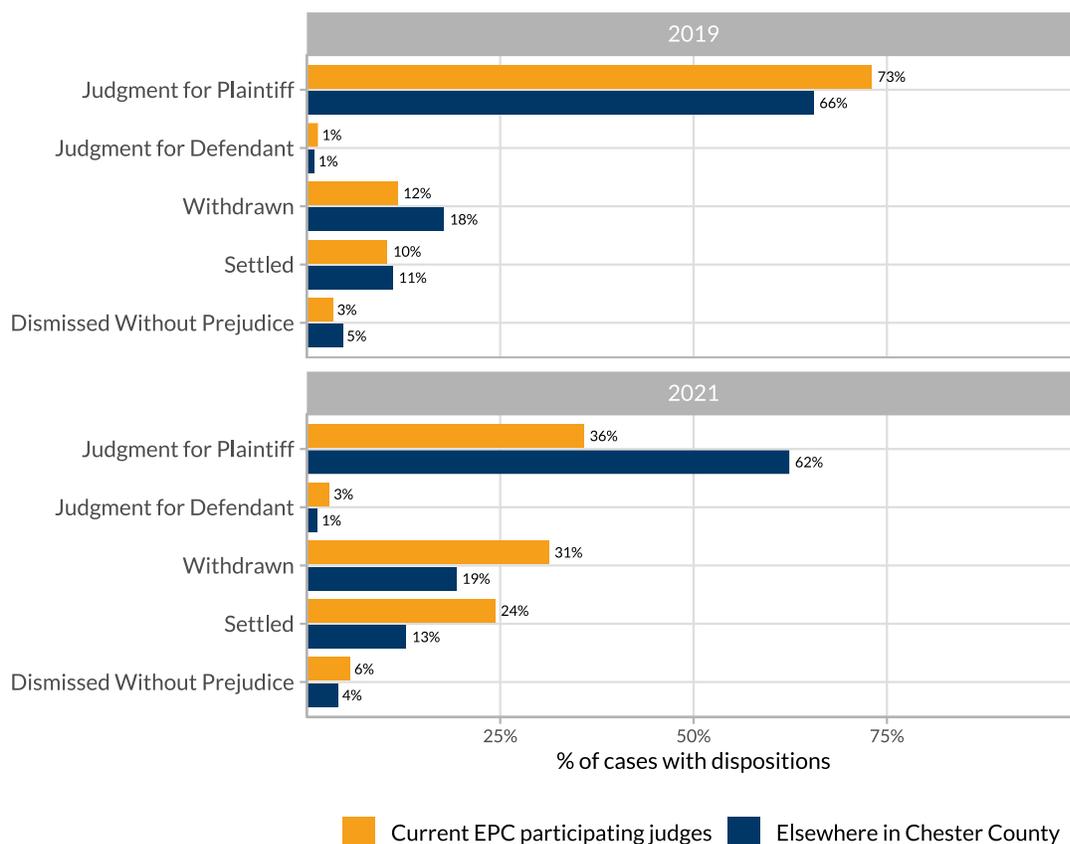
In 2019, before the program started, cases before all MDJs in Chester County were likely to end up with a judgment for the plaintiff (landlord), with less than a third of cases withdrawn or settled combined. In 2021, a dramatic difference emerges between cases

¹³ MDJs are locally elected judges who hear eviction cases.

filed in the magisterial district courts participating in the Eviction Prevention Court compared to other magisterial district courts in Chester County (see Figure 4).

In the three courts participating in the Eviction Prevention Court, the proportion of cases withdrawn by the landlord increased from 12% in 2019 to 31% in 2021. The proportion of cases where the landlord and tenant reached a settlement increased from 10% in 2019 to 24% in 2021. In comparison, dispositions for eviction cases in courts not in the program changed little from 2019.

Figure 4. Disposition Status of Eviction Cases in Chester County



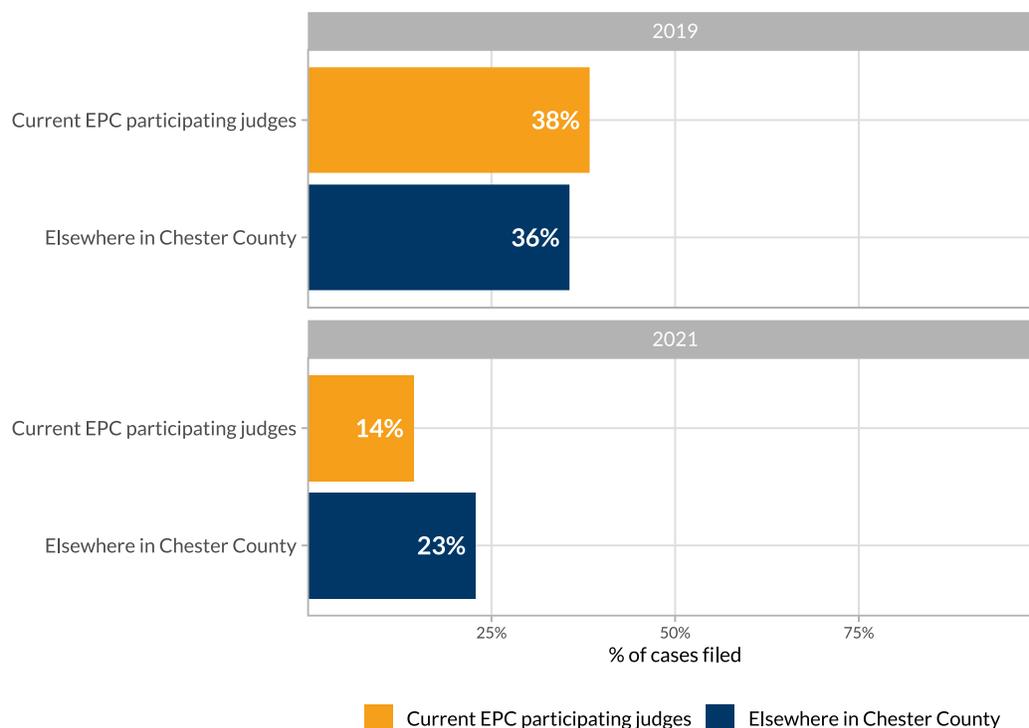
Source: AOPC

In 2019, before the program started, there was little difference across the different courts in Chester County in the percentage of cases where an order of possession was issued (see Figure 5). However, in 2021, only 14% of cases in the Eviction Prevention Court participating courtrooms were issued an order of possession, compared to 23% elsewhere in the county.¹⁴ While the percentage decreased in all magisterial district courts from

¹⁴ Though orders of possession do not necessarily lead to evictions, the issuance of an order of possession is the closest datapoint we have to the point of the actual lockout.

2019 to 2021 (likely due to the CDC moratorium and availability of rental assistance nationally), the decrease was greater in the Eviction Prevention Court participating courts.

Figure 5. Percentage of Eviction Cases in Chester County with an Order of Possession Issued



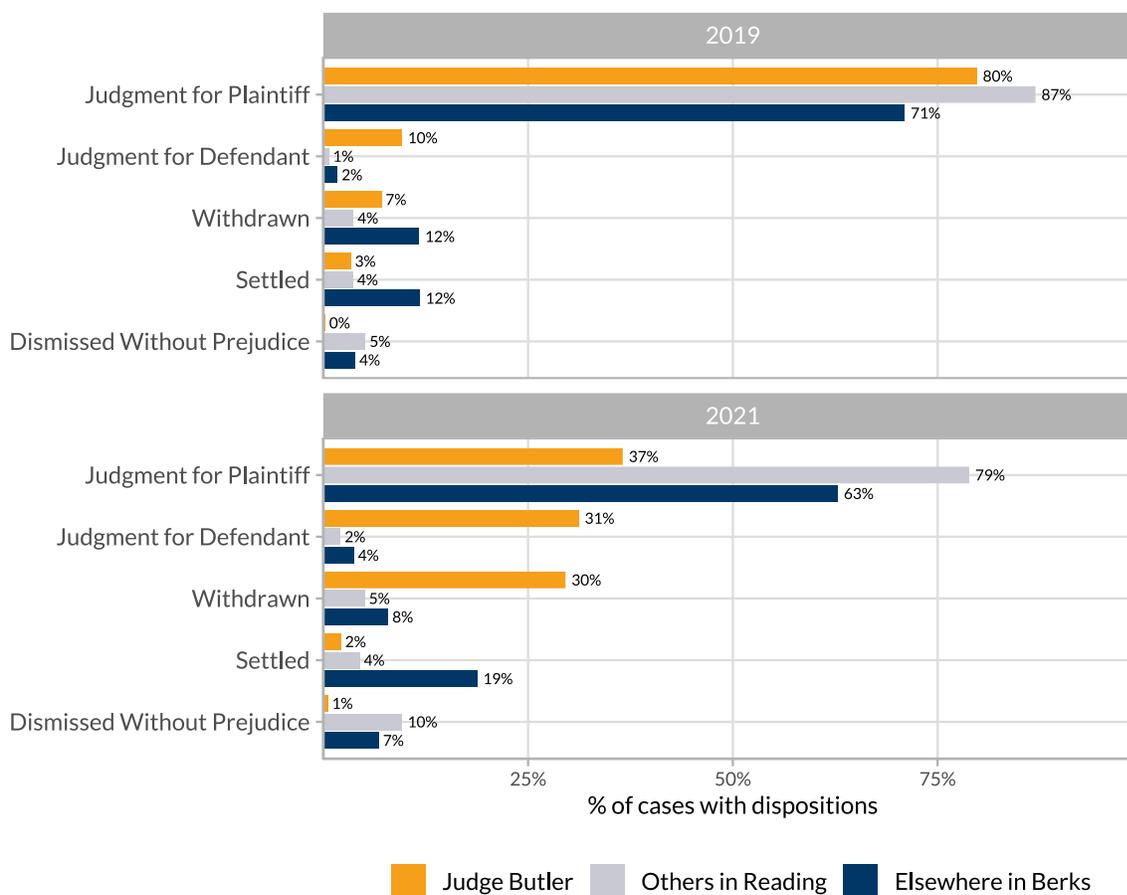
Source: AOPC
For 2021 cases, data do not include orders of possession issued in 2022

Berks County Eviction Diversion Program – Legal Representation for Tenants

In Berks County, Don Smith, a pro bono attorney with Mid-Penn Legal Services, piloted an eviction diversion program in one court in the county with a high number of eviction filings. The Honorable Tonya Butler serves as the Magisterial District Judge for a district in the city of Reading where the high number of eviction filings severely disrupt the community. The program, launched in 2020, focuses on tenant representation and connections to resources. Prior to eviction hearings, tenants receive information about free representation and available rental assistance along with the complaint notice from the court. The program has been very successful in decreasing the number of cases where tenants are not present at hearings. Prior to the program, a majority of tenants did not show up to court, but that figure has been reported to have been cut to 6% since the program began.

In 2019, before the program started, there are relatively small differences in eviction case dispositions across all courts. In 2021, after legal representation and information about resources became available to tenants in cases being heard by the Honorable Magisterial District Judge Tonya Butler, there was a notable increase in cases being withdrawn by landlords.

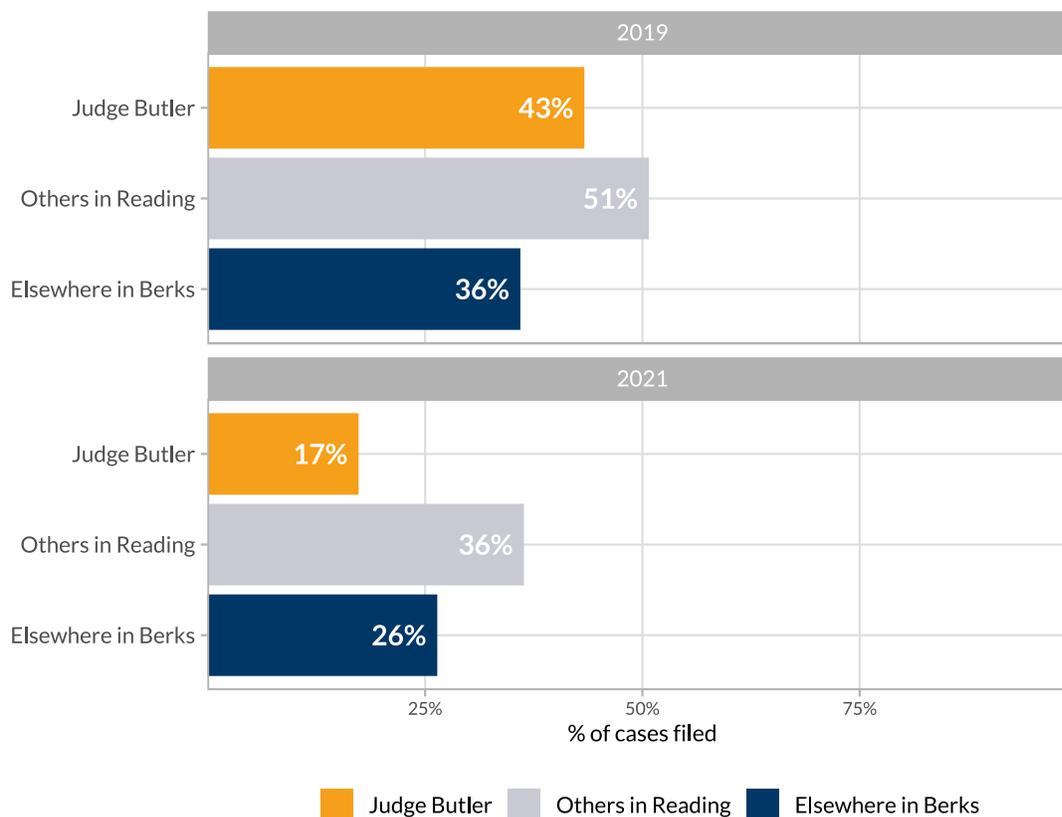
Figure 6. Disposition Status of Eviction Cases in Berks County



Source: AOPC

Orders of possession were issued less frequently for cases filed in Judge Butler’s court, decreasing from 43% in 2019 to 17% in 2021. While the issuance of orders of possession also declined in other Berks County courts, the change was much greater in Judge Butler’s court.

Figure 7. Percentage of Eviction Cases in Berks County with an Order of Possession Issued



Source: AOPC
For 2021 cases, data do not include orders of possession issued in 2022

Where are Evictions Being Filed?

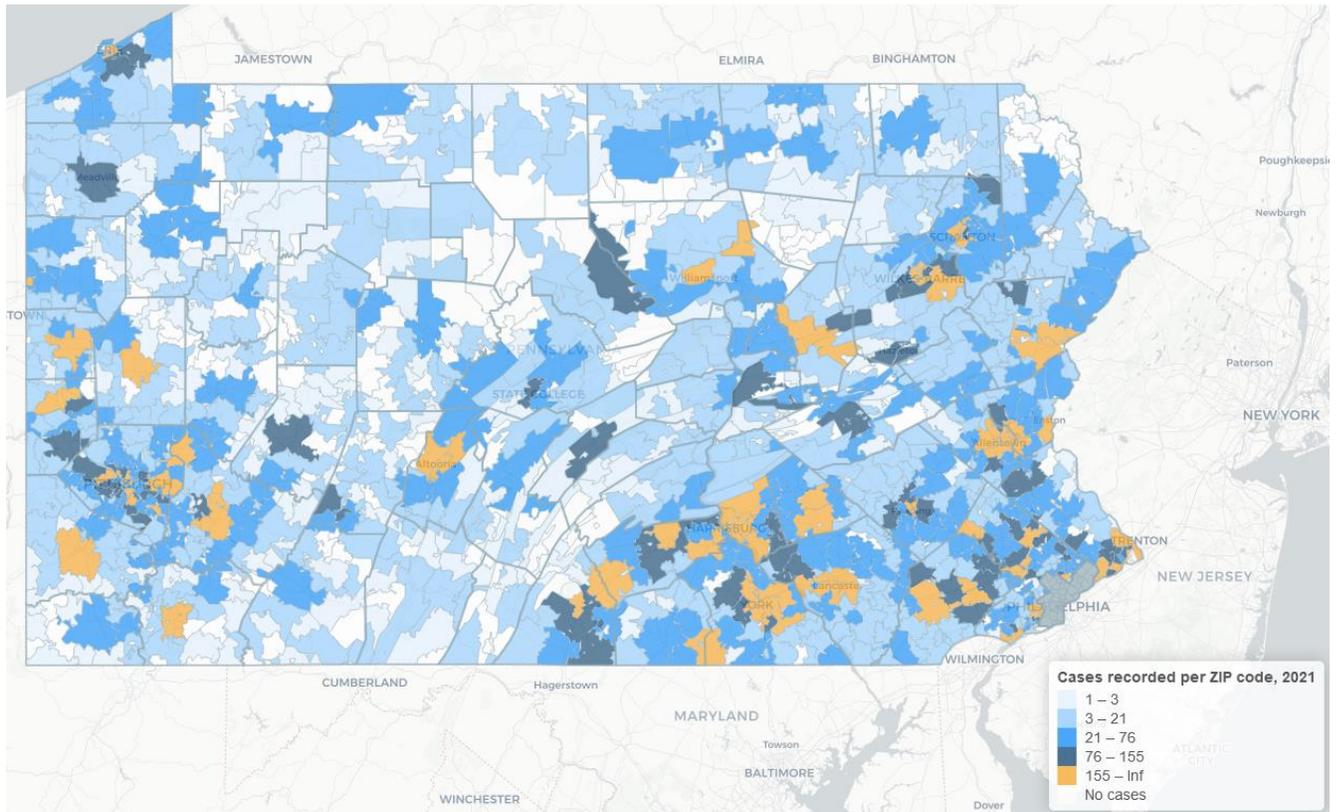
Many Communities Continue to Experience a High Prevalence of Evictions

The eviction case data we obtained from the state courts are localizable down to the ZIP code level. In the following maps, each ZIP code in Pennsylvania is shaded based on the prevalence of eviction filings in the ZIP code.¹⁵ (To explore further, you can click on the map images to go to the web version of this report, which includes an interactive version of the chart).¹⁶ Most eviction filings are concentrated in a relatively small number of ZIP codes (see Figure 8). The color bins are divided at the 50th, 75th, 90th, and 95th percentiles; the ZIP codes in orange have the highest number of evictions.

¹⁵ Technically, each ZIP Code Tabulation Area, as defined by the Census Bureau.

¹⁶ Detailed maps for Philadelphia at the Census tract level are available from [Eviction Lab](#).

Figure 8: Map of 2021 Eviction Filings by ZIP Code



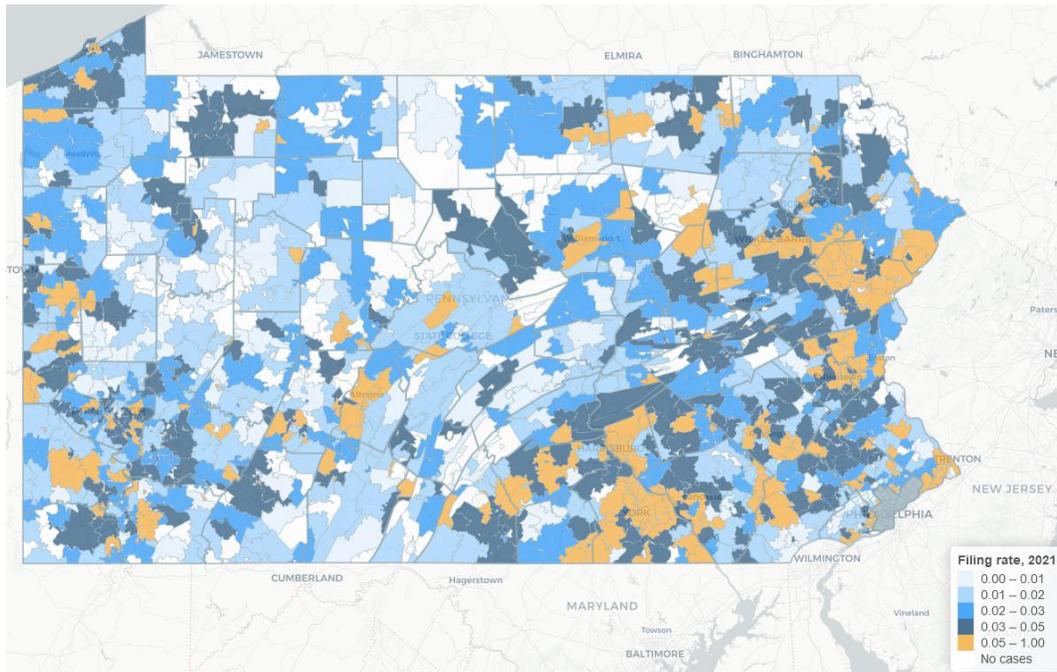
Source: AOPC. Generated with the Leaflet package in R. You can click on the map to explore further.

We also mapped the eviction case filing *rate* in each ZIP code in 2021. (You can click on the map image in Figure 9 to go to the web version of the map, where you can zoom in and get detailed information by hovering over each ZIP code.) The orange-shaded ZIP codes have the highest filing rates where more than 5% of renter households in those ZIP codes received an eviction filing.¹⁷ While larger cities have the highest number of eviction filings, high eviction filing rates are found in many regions of the Commonwealth outside Allegheny County and Philadelphia.

Figure 10 shows eviction filing rates for cases filed in 2019. We can see that while rates are significantly higher overall in 2019 compared to 2021, the areas that experienced higher eviction filing rates in 2021 were also likely to have seen higher filing rates in 2019.

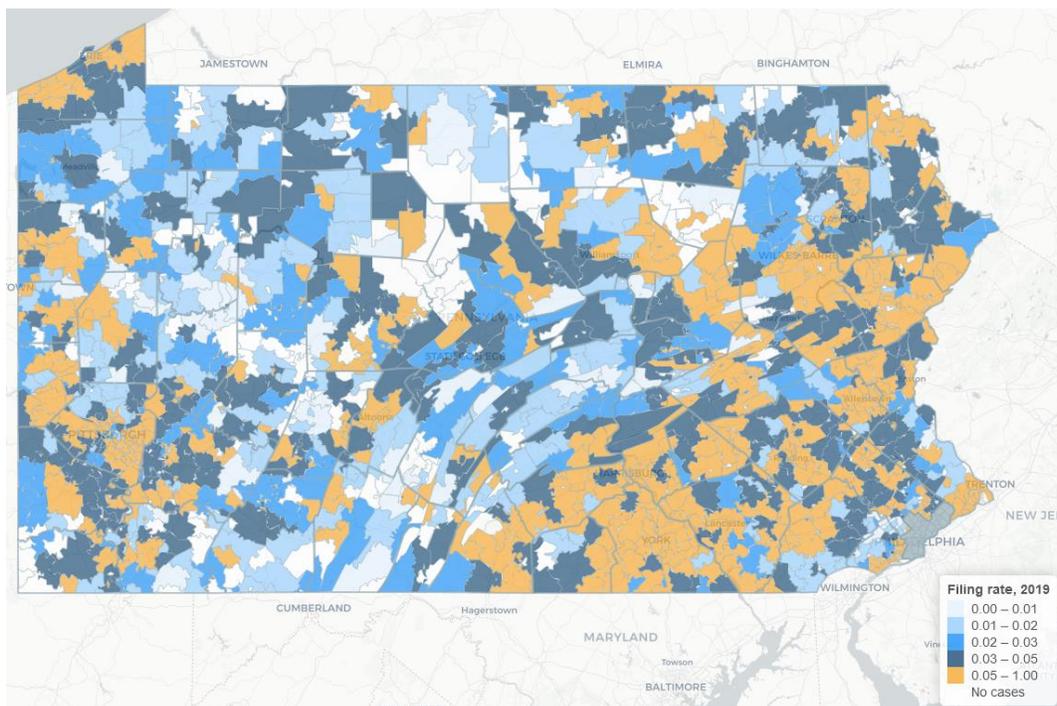
¹⁷ Roughly speaking, since some households may have been filed against more than once in 2021.

Figure 9: Map of 2021 Eviction Filings Rates by ZIP Code



Source: AOPC. Generated with the Leaflet package in R. You can click on the map to explore further.

Figure 10. Map of 2019 Eviction Filings Rates by ZIP code



Source: AOPC. Generated with the Leaflet package in R. You can click on the map to explore further.

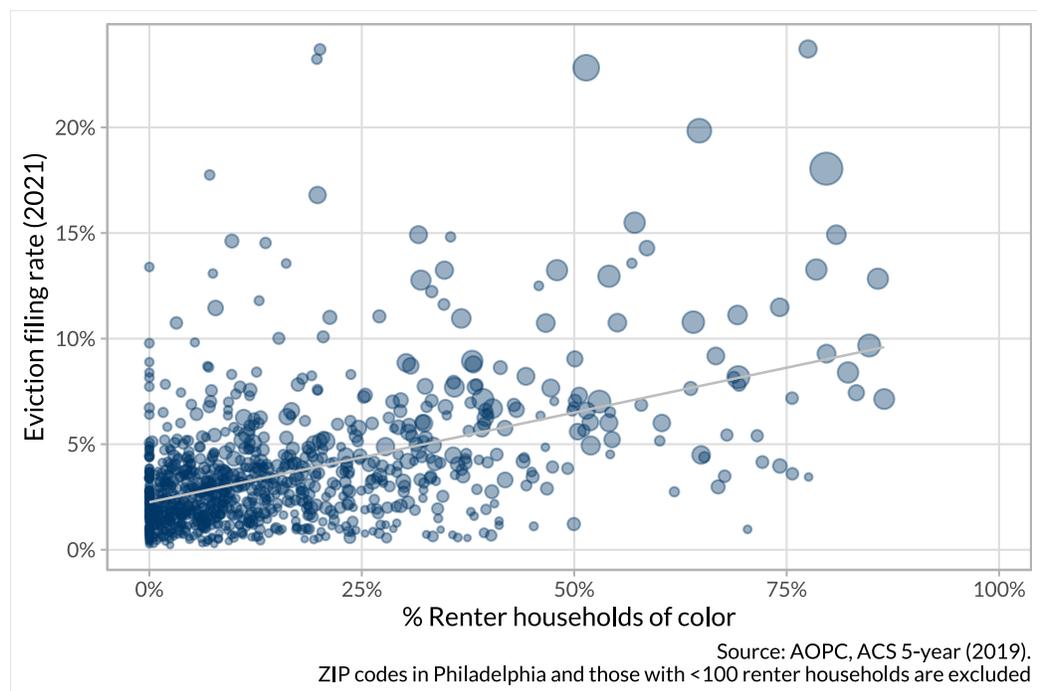
Demographics and Disparities

While we do not have case-level data about tenants' demographic and socioeconomic characteristics, we can shed light on who is most vulnerable to eviction filings by examining the demographics of ZIP codes in which eviction filings are most prevalent. We examined four factors that have been found to be important in prior research on evictions: race (and ethnicity), income, rent burden, and the presence of children in the household (especially female-headed households). In each plot, we compared the eviction filing rate in each ZIP code against a demographic variable, using data from the Census Bureau's American Community Survey.¹⁸ Each dot represents a ZIP code, with the size of the dot corresponding to the number of eviction filings in the ZIP code. (You can click on any of the plots to explore an interactive version.)

Race/Ethnicity is a Predictor of Eviction Filings

First, we compared eviction filing rates by ZIP code against the percentage of renter households that were headed by a person of color (specifically, someone who is not White and/or Hispanic or Latino). There is a clear relationship—the higher the percentage of renters who are people of color in a ZIP code, the higher the eviction filing rate.

Figure 11. Relationship between ZIP Code Eviction Filing Rates and Race/Ethnicity



¹⁸ We used the American Community Survey 2015-2019 estimates, for renter households only; we only included ZIP codes with 100 or more renter households since very small areas do not have reliable estimates. Philadelphia is not included in this analysis.

Rent Burden is a Predictor of Eviction Filings

We also examined the relationship between eviction filing rates and renters' household income (see Figure 12). Income, considered alone, does not appear to predict which ZIP codes are likely to have a higher prevalence of eviction filings. In contrast, Figure 13 shows a positive relationship between eviction filing rates and the percentage of households paying more than 30% of income on rent; ZIP codes where more renters are rent burdened also tend to have higher eviction filing rates.

Figure 12. Relationship between ZIP Code Eviction Filing Rates and Income

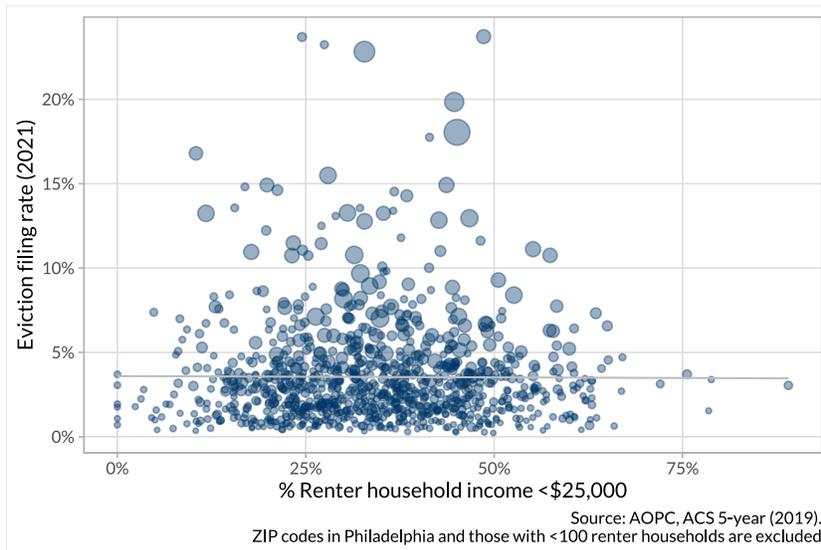
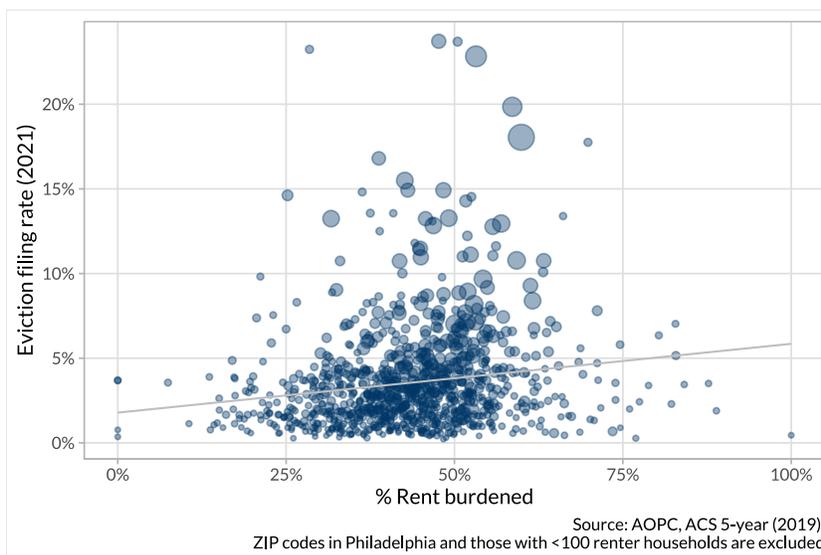


Figure 13. Relationship between ZIP Code Eviction Filing rates and Rent Burden



Female-headed Households with Children May be at Greater Risk

Previous research has shown that the presence of children in households is a predictor of eviction risk.¹⁹ Here, we specifically focused on renter households with children headed by females. ZIP codes where a higher percentage of renter households are headed by females with children are also, on average, ZIP codes with higher eviction filing rates (see Figure 14).

Figure 14. Relationship Between ZIP Code Eviction Filing Rates and Female-Headed Households with Children



Source: AOPC, ACS 5-year (2019).
ZIP codes in Philadelphia and those with <100 renter households are excluded

These analyses underscore which communities are most at risk of evictions: neighborhoods with a high proportion of renters of color, cost-burdened renters, and renters (especially females) with children. Though we cannot make causal claims from these relatively simple analyses, the disparities shown along racial and socioeconomic lines remind us that evictions are a strong driver of continuing inequalities in our housing system.

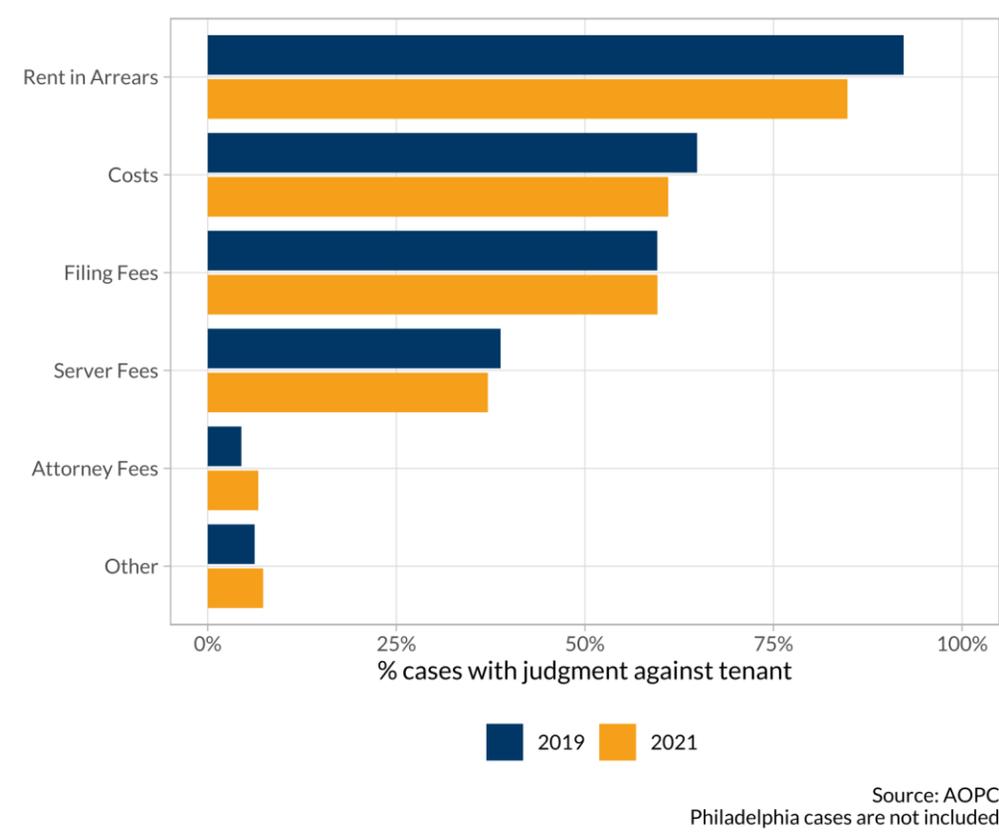
¹⁹ Desmond, Matthew and Carl Gershenson, "Who gets evicted? Assessing individual, neighborhood, and network factors." Social Science Research, 2016.
https://scholar.harvard.edu/files/mdesmond/files/desmondgershenson.ssr_2016.pdf

Breakdown of Money Judgments

Rent in Arrears are Very Common in Money Judgments Against Tenants

If a judge decides an eviction case for the plaintiff (landlord), the landlord will generally be awarded a money judgment. A large majority of judgments include rent in arrears—92% in 2019 and 85% in 2021. In more than half of eviction judgments, defendants (tenants) are also required to pay court costs and filing fees (see Figure 15).²⁰

Figure 15. Judgment Award Categories in Eviction Cases



Renters in 2021 Eviction Cases Owed More in Rent than in 2019

The case records often report the monthly rent amount as well. When we compared the amount of rent in arrears awarded in the judgement to the monthly rent amount, we found that tenants were further behind in rent in 2021 than they were in 2019. In 2021, 39% of renters were behind for more than 3 months, while in 2019 only 26% of renters were behind by more than 3 months.²¹

²⁰ The analyses in this section do not include Philadelphia cases; but see Eviction Lab's tracker for changes in claim amounts through time in Philadelphia. <https://evictionlab.org/eviction-tracking/philadelphia-pa/>

²¹ These figures are for eviction cases listing monthly rent and amount of arrears.

Patterns in Filings, Dispositions, and Orders of Possession Over Time

The court-based eviction process involves three important points in time. The process starts at the date of the *filing* of the case; the legal status of the case is recorded at case *disposition* (whether through judgment, dismissal, withdrawal, or settlement); and the *order of possession*, if issued, allows a legal eviction to take place.

Each business day, hundreds of these case actions are completed and understanding the dynamics of these actions through time is important to get a full picture of the eviction process. Figure 16 shows, for each day:²²

- 1) The number of cases filed,
- 2) The number of cases that reached a disposition, and
- 3) The number of cases issued an order of possession.

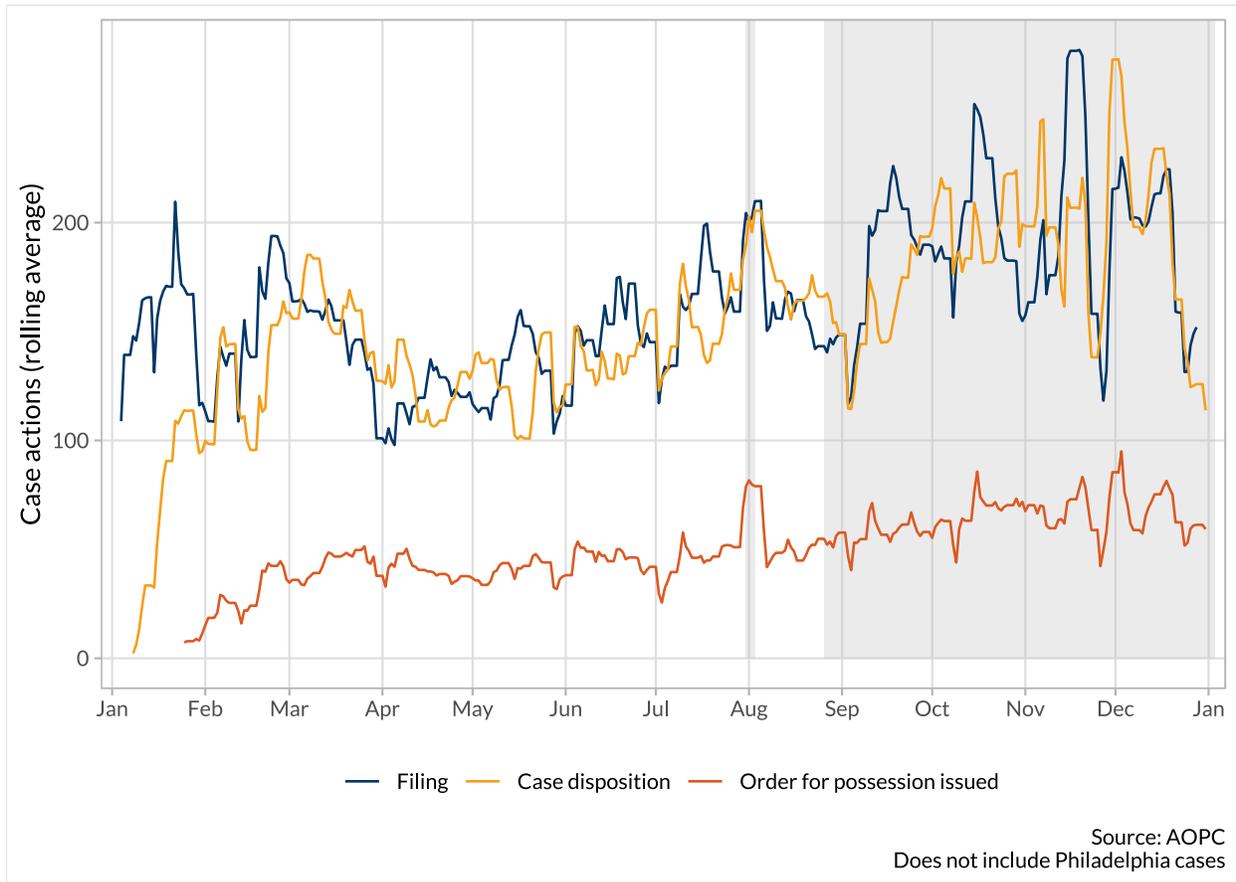
With End of Moratorium, Increase in Orders of Possession Issued

As we saw in Figure 1, new case filings gradually increased from April to August 2021, dipping somewhat in the following few weeks before climbing back up from mid-September on. Case dispositions generally follow case filings with a lag of about two weeks, which is often how long it takes for a case to get a hearing. Orders of possession spiked at the beginning of August 2021 when the original CDC moratorium expired. The spike did not persist through the rest of August 2021 (a different CDC moratorium having been in effect for most of that month). Since September 2021, there has been a steady increase in the number of orders of possession issued (see Figure 16).

These patterns show that many cases that have a judgment for the landlord will not culminate in an order of possession (the ability to legally evict). However, we do not know if and how many tenants leave or are forced to leave their homes without a legal eviction order. This information is not reflected in the court data.

²² For readability reasons, the lines are 7-day rolling averages since courts are closed on weekends and holidays; the data do not include Philadelphia cases. Because this analysis deals with the number, rather than types, of case actions, the line for case dispositions include all dispositions made, even those superseded later, and include the reinstatement of cases earlier dismissed.

Figure 16. Number of Case Actions Made in 2021 (daily 7-day rolling average)



Gray areas indicate periods without any Federal eviction moratorium in effect. You can explore the data for individual counties by clicking on the figure.

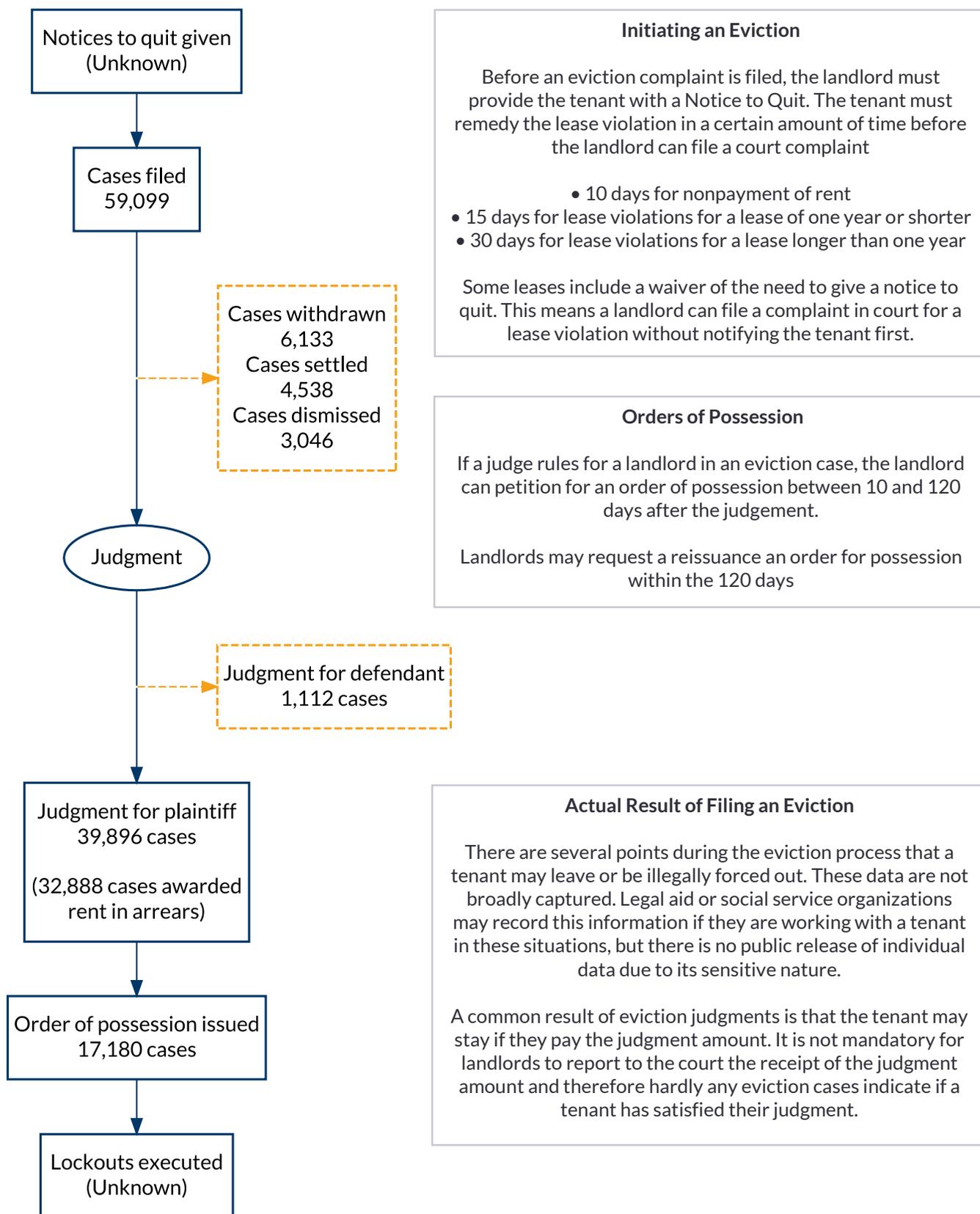
Summary and Conclusions

Eviction Filings are a Major Barrier for Families Looking for New Housing

In 2021, 65,900 renter households were subject to eviction filings (59,099 filings in 66 of 67 counties, see Figure 17, plus 6,801 filings in Philadelphia). Though cases in 2021 remained below the levels historically seen in pre-pandemic years, the compounding effects of the pandemic make these eviction filings no less serious. Eviction filings that do not ultimately lead to an eviction are nevertheless major barriers for families seeking new housing.

The following diagram summarizes the number of cases (excluding those filed in Philadelphia) involved in each step of the court-based eviction process in 2021. We also include a deeper dive into some different steps of the eviction process. (You can click on the diagram to see an overview for individual counties.)

Figure 17. Summary of Eviction Case Data in Pennsylvania, 2021



Challenges

Many pandemic response measures that protected families from evictions have expired:

- The CDC eviction moratorium was invalidated by the Supreme Court in August 2021
- Expanded unemployment benefits ended in September of 2021
- Expanded Child Tax Credit payments expired at the end of 2021

Low-income renters are also facing a critical shortage of affordable housing as market rents continue to climb.²³ As of November 2021, rent for one-bedroom apartments in Pennsylvania rose 31% from 2020 to 2021, and rent for two-bedroom apartments rose 14%.²⁴

Opportunities

At the same time, 2021 provided an opportunity for new and expanded programs to prevent households from being pushed into displacement and homelessness, including:

- Implementation of Emergency Rental Assistance (ERAP),
- Expansion of eviction diversion and mediation programs, and
- Strengthened representation of tenants in court.

In Pennsylvania, the Emergency Rental Assistance Program assisted nearly 110,000 households with rental and utility assistance, keeping families in their homes and making landlords whole.²⁵ Along with rental assistance, local eviction diversion programs have reduced evictions, as shown in our analyses of programs in Berks and Chester Counties.

In Conclusion: We Seek to Understand Evictions to Prevent Them

As we understand better the root causes of evictions, where they are taking place, and who is at risk, we can work with our local partners to implement and expand programs to divert and prevent evictions. The Housing Alliance is committed to supporting Pennsylvania communities in their efforts to prevent evictions and ensure that every Pennsylvanian has a safe and stable home they can afford.

²³ Lord, Rich. "Steady Rise in Eviction Filings Shows Stresses in the Pittsburgh-Area Rental Market." Public Source, January 10, 2022. <https://www.publicsource.org/eviction-pittsburgh-allegheeny-county-affordable-housing-covid-19-rental-assistance/>

²⁴ Apartment Guide. Rent Report, December 2020: The State of the Rental Market, December 21, 2021. <https://www.apartmentguide.com/blog/apartment-guide-annual-rent-report/>

²⁵ Data through November 2021. However, some jurisdictions like Berks County and Philadelphia have now closed their programs to new applications due to low funds.

Appendices

Data Limitations

The data we analyzed only included the information available on case docket sheets, which are electronically stored by the state courts system. The following are some limitations of these data:

- Only cases that are formally filed with the courts are included within the dataset. Instances where tenants leave at the threat of eviction, are forced out, or are illegally locked out of their homes are not captured.
- Pennsylvania law provides for a notice period (notice to quit) to tenants that infers a “right to cure” the breach of lease before a landlord can file for eviction. Pennsylvania law allows this provision to be waived, and it is commonly waived in private market leases. The consequence of the waiver is it denies tenants time in which to correct the breach to the lease before an eviction filing. To our knowledge, no dataset is available regarding how many notices to quit are given in Pennsylvania.
- There are no readily accessible records of whether a legally sanctioned lockout is carried out. Once an order of possession is served, we do not know if a formal eviction was completed. Other possible scenarios include the tenant leaving (or being forced out) before the formal eviction, the tenant paying the arrears and still being evicted for minor breach of lease during period when landlord had right to file for order of possession, or the tenant paying their rent in arrears and staying.
- We do not know the reason(s) why an eviction complaint was filed. The state system does not provide this information electronically (or publicly).²⁶ Though most eviction cases involve rent in arrears, we do not know if there were other reasons for the eviction filing.
- The eviction records we have do not include demographic information such as race, ethnicity, income, or the presence of children.
- The data we have does not include street-level addresses. We only have data down to the ZIP code level.
- Due to the structure of the state courts' information management system as well as structural differences between local courts in Philadelphia versus the rest of the Commonwealth, we did not have case level data for Philadelphia eviction filings.
- We do not know which eviction cases were appealed.
- The quantitative data we have do not account for the experiences and circumstances of individual tenants and landlords. Our analysis was limited to publicly available data in bulk and does not include the qualitative context or other aspects of the eviction process not captured in the case docket sheets.

²⁶ Philadelphia’s court system has scans of the individual complaints as separate PDF files.

Other Eviction Data Sources

Eviction Lab

Eviction Lab tracks eviction cases in Philadelphia and Allegheny Counties as well as 35 other jurisdictions in the U.S.²⁷ Data include weekly tracking of eviction filings, comparison to historic filing levels, breakdowns by Census tract (for Philadelphia) and ZIP code (for Allegheny County), eviction filings by neighborhood demographics, and for Philadelphia, monthly claim amounts and a list of buildings generating the most eviction filings.

Legal Services Corporation Eviction Tracker

The LSC Eviction Tracker provides data on the number of eviction filings by week across 24 states.²⁸ Filings data from each of the 67 Pennsylvania counties are available going back to 2016. The LSC tracker is updated regularly.

County-Specific Analyses

In Philadelphia, the Reinvestment Fund has examined the impact of race and place in evictions,²⁹ as well as summaries of case outcomes and legal representation in Landlord-Tenant court.³⁰ The City of Philadelphia published a report focusing on Philadelphia's eviction prevention and response initiatives.³¹

In Allegheny County, the county Department of Human Services and The Pittsburgh Foundation published a report on eviction cases filed from 2012 to 2019, including analyses of which landlords and tenants are most likely to be involved in the eviction process.³² They also provide a summary of the legal aspects of the eviction process.³³ The Pittsburgh Foundation has also published a report on the causes and consequences of evictions in Allegheny County, informed by interviews with tenants and landlords.³⁴

²⁷ For Eviction Lab's Philadelphia data, visit <https://evictionlab.org/eviction-tracking/philadelphia-pa/>
For Eviction Lab's Allegheny County data, visit <https://evictionlab.org/eviction-tracking/pittsburgh-pa/>

²⁸ Visit <https://www.lscctracker.org/summary>

²⁹ Reinvestment Fund. "Evictions in Philadelphia: Race (and Place) Matters," February 2021.
<https://www.reinvestment.com/research-publications/evictions-in-philadelphia-race-and-place-matters/>

³⁰ Reinvestment Fund, "Policy Brief: Evictions in Philadelphia: A Data & Policy Update," October 2019.
<https://www.reinvestment.com/research-publications/evictions-in-philadelphia-a-data-policy-update/>

³¹ City of Philadelphia, "Staying Home Eviction Prevention and Response," March 2020.
<https://www.phila.gov/media/20210324152559/EvictionPreventionReport-March2020.pdf>

³² Allegheny County Department of Human Services, "Eviction Cases in Allegheny County, 2012 - 2019," October 14, 2020. <https://www.alleghenycountyanalytics.us/index.php/2020/10/14/eviction-cases-in-allegheny-county-2012-2019/>

³³ Allegheny County Department of Human Services, "How an Eviction Case Proceeds Through Allegheny Courts," September 2020. https://www.alleghenycountyanalytics.us/wp-content/uploads/2020/11/20-ACDHS-19-EvictionSupport_v4.pdf

³⁴ The Pittsburgh Foundation. "Eviction in Allegheny County: a mixed-methods study," April 13, 2021.
<https://pittsburghfoundation.org/Eviction-Report-released>

Key Terms

Docket Sheet

A court record that summarizes the case. In Landlord-Tenant cases, this includes information about the plaintiff, defendant, dates of that court actions, and details about outcomes of the case, among other fields.

Eviction

“[P]rocesses and means by which landlords remove tenants from their rental properties.”³⁵ The term ‘eviction’ can also refer to the end state of the eviction process where a tenant is physically displaced from the property. Here, we distinguish between eviction *filings*, the eviction *process*, and the actual physical *displacement*. A legal eviction in Pennsylvania can only take place after a judge has issued an order for possession.

Eviction Filing

A landlord-tenant complaint where the landlord (plaintiff) sues the tenant (defendant) for recovery of possession of real property, including (if applicable) the payment of unpaid rent and damages. It is filed in the Magisterial District Court covering the location of the property (in jurisdictions outside of Philadelphia) or in Municipal Court (in Philadelphia).³⁶

Judgment

The decision made by the judge hearing the eviction case. If the judge determines that the landlord’s complaint has been proven, the judge enters judgment for the plaintiff (landlord). The judgment may include monetary amounts for which the tenant is responsible to pay including rent in arrears, court costs, or other costs, as applicable.³⁷

Notice to Quit

A written notice given by the landlord to the tenant specifying the date by which the tenant must correct a breach of the lease or move out. The notice to quit may provide a period of 10 or 30 days, depending on the nature of the breach (as stipulated in the PA Landlord Tenant Act), before an eviction case can be filed. This provision of Pennsylvania landlord-tenant law can be waived in leases.³⁸

³⁵ US. Department of Housing and Urban Development, “Report to Congress on the Feasibility of Creating a National Evictions Database,” 2021. <https://www.huduser.gov/portal/sites/default/files/pdf/Eviction-Database-Feasibility-Report-to-Congress-2021.pdf>

³⁶ Allegheny County Department of Human Services, “How an Eviction Case Proceeds Through Allegheny Courts,” September 2020, p.2. https://www.alleghenycountyanalytics.us/wp-content/uploads/2020/11/20-ACDHS-19-EvictionSupport_v4.pdf

³⁷ Ibid. p.4.

³⁸ Ibid., p. 2.

Order of Possession

A legal order directing a sheriff or constable to deliver possession of the property to the landlord. The landlord may file a request for an order of possession 10 days after judgment against the tenant is entered. Once requested, the judge must issue the order of possession unless there has been an appeal or the tenant has already satisfied the judgment. Currently, the landlord has 120 days to request an order of possession. After the order of possession is served to the tenant, 11 days must pass before the sheriff or constable is authorized to physically eject the tenant. If the case only involves nonpayment of rent, the tenant can pay the judgment, including to the sheriff or constable, up to the day of eviction to avoid being evicted.³⁹ A landlord can request a re-issuance of the order of possession within the 120-day period.

Rent in Arrears

The amount of back rent owed by the tenant to the landlord. In most cases that are decided for the landlord, the judge will specify an amount of rent in arrears owed to the landlord.

Magisterial District Judge or MDJ

In jurisdictions outside of Philadelphia, landlord-tenant cases are heard by locally elected judges called Magisterial District Judges, who cover particular geographic districts within the county. In Philadelphia, Municipal Court judges who are elected citywide hear landlord-tenant cases.

Disposition

The court's determination of a case. Case dispositions include Judgment for Plaintiff, Judgment for Defendant, Settled, Withdrawn, Dismissed Without Prejudice, and Landlord/Tenant Reinstatement.

³⁹ Ibid., p. 5-6.