



## Moving From Eviction to Housing Stability Resource Materials

LWVDC Virtual Public Issues Forum  
Tuesday, February 1, 2022  
7:00 PM - 8:00 PM

### Speakers

**Revel Sims**, Assistant Professor in the Department of Planning and Landscape Architecture and Chican@ and Latin@ Studies Program at UW–Madison

**Erica K. López**, Clinical Instructor who leads the Eviction Defense Clinic, a part of the Economic Justice Institute of UW-Madison Law School

**Robin Sereno**, Executive Director of Tenant Resource Center

**Susan Jennik**, moderator, member of Dane County LWV Racial & Social Equity Subcommittee

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"The insidious part of [housing] instability is that it comes at a kid from so many different levels—in terms of stress on their parents, losing basic resources, and then losing their homes. It's this very core thing of stability of place, where you'll be sleeping or eating. Housing instability crashes every support system a kid could have." - *Gina Adams, senior fellow at the Urban Institute*

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### League of Women Voters positions

“The [League of Women Voters of the United States](#) believes that one of the goals of social policy in the United States should be to promote self-sufficiency for individuals and families and that the most effective social programs are those designed to prevent or reduce poverty.”



### LWV of Dane County position on Social Policy:

The [League of Women Voters of Dane County](#) position on Social Policy (updated 2002) supports:

“Responsible inclusive zoning, building and housing codes, and community planning; periodically updated and effectively administrated and enforced, to prevent blight and preserve housing stock.... Use of local, state and federal funds, as well as other financial incentives, for redevelopment and rehabilitation of housing.... Effective public relations and information on plans and objectives to stimulate citizen understanding and participation.”

## Discussion questions

1. What have you learned about evictions that you didn't know before?
2. How has your thinking changed?
3. Do you know anyone who has faced eviction?
4. What actions might you consider taking about evictions?
5. What else would you like to learn regarding evictions?

## What is an eviction?

According to the [Tenant Resource Center](#):

- Landlords can begin the eviction process “when they believe a tenant has violated the lease, and they want the tenant to fix the problem or leave the apartment.”
- The tenant must be given an eviction notice and at least five days to fix the problem.
- Tenants can try to negotiate with their landlord before a formal eviction notice is filed; if successful, this prevents a permanent court record from being created.
- The case may end up in small claims court, where a judge decides whether the tenant
  - must move out (eviction)
  - can stay in the unit (dismissal)
  - or have the case “dismissed by mutual agreement (stipulation), usually for a payment plan or a move-out date.”
- Tenants can only be forced to leave the unit by a sheriff operating under a judge's order.
- “The landlord cannot change the locks, throw the tenant's stuff out or take any other action without this court order, and the sheriff is the only person who can physically remove the tenant.”

## Evictions in the United States, Wisconsin, and Dane County

### United States

Matthew Desmond and his colleagues conducted a [national study](#) which included renters in 1,195 counties, covering more than one-third of all U.S. renter households. The data they used covered 2012 to 2016. During that time, “... 1.44 million eviction cases were filed in an average year (including serial eviction filings), resulting in approximately 660,000 eviction judgments.”



### Wisconsin and Dane County

An excellent source of information about evictions in Dane County can be found in the 2016 [Evicted in Dane County Report](#) by Revel Sims and his colleagues at UW - Madison. They reported an average annual eviction rate in Dane County of 2,527 between 2000 and 2015.

According to the [U.S. Census](#), there were 239,841 housing units in Dane County between 2015 and 2019. Of these, 139,587 (58.2%) were owner-occupied, leaving 100,253 (41.8%) as rental units. This would mean

evictions occurred to renters in approximately 5% of rental units. (Note: These percentages should be considered estimates only.)

More recently, according to the [Wisconsin Eviction Data Project](#), there were 2,015 eviction filings in Dane County in 2019 (the last year before eviction moratoriums due to Covid-19).

In an attempt to [fight the eviction epidemic](#) during the Covid-19 pandemic, the federal government imposed eviction moratoriums, which were intended to buy renters time while government aid was distributed. Moratoriums were also put in effect by some states, counties, and communities.

Most eviction moratoriums ended in 2021, and [eviction rates in Wisconsin and Dane County](#) are rising. Erica Lopez, who works with UW – Madison Law School’s [Eviction Defense Clinic](#), reported that on October 5, 2021, there were 42 eviction filings in Dane County, and by November 1 and 2, 2021, they were up to 66. [Evictions in Wisconsin](#) are expected to continue to increase, creating a crisis over the winter.

## **Impacts of eviction**



Evictions are a critical aspect of housing instability. Matthew Desmond, the author of the 2017 Pulitzer-prize winning book “[Evicted](#),” states that “... [most poor renting families](#) are spending more than half of their income on housing, and eviction has become ordinary, especially for single mothers.”

[Evictions occur more often](#) in female-headed households, households with children, low-income renters, and renters of color. Other vulnerable groups include undocumented residents, students, the elderly, people with disabilities, and victims of domestic violence.

Desmond and his colleagues found that [during 2012 to 2016](#), “Filing and eviction rates were, on average, significantly higher for black renters than for white renters, Black and Latinx female renters faced higher eviction rates than their male counterparts, and Black and Latinx renters were most likely to be filed against serially for eviction.” Economic factors also contribute to eviction rates.

Revel Sims and his colleagues reported that “Race is the most important factor in explaining evictions in Dane County, with most [non-white neighborhoods](#) showing rates well above the county average.” They found that “Six of the neighborhoods with the most eviction cases also are among the top 10 with the largest percentages of residents of color.” They also reported that “Many residents facing insecurity double up with friends and family or fall in and out of homelessness.”

Housing instability has been heightened during the [pandemic](#). Renters of color are more likely than white renters to “face discrimination in obtaining and maintaining housing... face higher rates of eviction... [and] disproportionately experience homelessness.” The Urban Institute reported on the [perceptions of eviction likelihood among renters of color](#).

## **Legal factors**

As reported in the article [Locked Out](#), “Since 2011, Wisconsin’s Republican-controlled Legislature has passed more than 100 changes to landlord-tenant law. The laws have sped up the eviction process, made it easier to evict tenants and allowed landlords greater power to look into a potential tenant’s credit and criminal histories.”

According to Revel Sims, “The [legal landscape](#) governing landlord-tenant relations and the eviction process has shifted heavily in favor of landlords:

- “... eviction proceedings are happening faster, tenants have fewer options for recourse, and municipalities are afforded fewer opportunities for local regulation;
- “the powers of landlords to access personal information, dispense with personal property, and make summary judgements regarding tenant behavior have expanded greatly; and
- “... [there is] tremendous potential to displace tenants based on landlords’ perceptions of possible criminal activity.”

He concludes that a big part of the problem “... is that the Legislature has taken away the ability of local municipalities—cities and counties—to pass prohibitions on screening.”

## **Programs to help people at risk of eviction**

“The [Madison] City Council approved [Dane Core 2.0](#), a group of organizations providing resources to people struggling to meet their rent obligations — as well as offering help to landlords — earlier this week.” Partners include the “African Center for Community Development, Community Action Coalition for South Central Wisconsin, Meadowood Health Partnership, Nehemiah Community Development Corporation/FOSTER of Dane County and the Tenant Resource Center. Urban Triage will continue to administer program benefits for households who live in communities within Dane County but outside of the city of Madison.



“About \$1.7 million in funding is being used to expand the city’s eviction defense program which will provide services through collaborations between the Tenant Resource Center, the UW Madison Neighborhood Law Clinic, Legal Action of Wisconsin and Community Justice, Inc., and will be available to qualifying people who are in Dane County and have an eviction trial scheduled.”

In August 2021, the UW – Madison Law School created the [Eviction Defense Clinic](#) (EDC), which is part of its Economic Justice Institute. The EDC works with the [Tenant Resource Center](#) and the Legal Action of Wisconsin, and Community Justice, Inc. to prevent evictions by providing legal services to tenants in eviction court.” Services include providing legal services to tenants in eviction court, rental assistance, help finding housing, and information about other community resources.

There are many organizations in Dane County that work to prevent evictions and help people who are dealing with the results of an eviction. Some of these organizations are listed below.

## **Actions**

Learn more: Information about evictions

- Revel Sims conducted a study on evictions in Dane County, reported in [Evicted In Dane County](#).
- Matthew Desmond’s book [Evicted: Poverty and Profit in the American City](#)

- The [Eviction Lab](#) (Princeton University) provides a database of eviction information going back to 2000 on its website, for anyone to use.

#### Learn more: The impacts of eviction

- “[Not Homeless Enough](#)” is a video made the United Way. It looks at people who, in order to avoid homelessness, “double up, living with family or friends.
- Phoenix’s [10-minute evictions](#): evictions through the eyes of a law-enforcement officer charged with enforcing them.
- [Residents bombarded with eviction notices in Atlanta](#)
- ["Maid" miniseries](#) and ["Maid: Hard Work, Low Pay, and a Mother's Will to Survive"](#)

#### Learn more: Legal aspects of eviction in Dane County

- The [Tenant Resource Center](#) is an excellent source of information regarding tenants’ legal rights and responsibilities. They also provide “information, referrals, landlord-tenant mediation, ... and access to conflict resolution.”
- The [Dane County Sheriff's Office](#) gives information for landlords on eviction.
- The [Madison Mayor's blog](#) addresses efforts by the city to address housing issues.

#### Local organizations and things you can do to help

Contact the following local organizations for resources available for those facing eviction, and information about volunteering or making donations:

- [Tenant Resource Center](#)
- [UW Law School's Eviction Defense Clinic](#)
- [YWCA Madison](#)
- [Dane County Homeless Services Consortium](#) (a list of dozens of organizations that help people who are homeless)
- [United Way of Dane County](#)
- [Salvation Army](#)
- [Middleton Outreach Ministry \(MOMs\)](#)
- [The Road Home Dane County](#)
- [Porchlight](#)
- [Community Action Coalition of Southwest Wisconsin](#) (is helping distribute federal rental aid in the City of Madison)
- [Urban Triage](#) (is helping distribute federal rental aid in Dane County, outside of the City of Madison)

For detailed information about how one state has developed action steps to address a housing issue, check out the [California toolkit on homelessness](#) (*scroll down about a page; the toolkit begins after “Let’s Get Started”*)

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