

NEW ORLEANS' EVICTION GEOGRAPHY

Results of an Increasingly Precarious Housing Market

Presented by

Jane Place Neighborhood
Sustainability Initiative
Professor Davida Finger,
Loyola University New Orleans
College of Law, Law Clinic

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JANE PLACE NEIGHBORHOOD
SUSTAINABILITY
INITIATIVE

**A Report Produced by Jane Place Neighborhood Sustainability Initiative (JPNSI)
and Professor Davida Finger, Loyola University New Orleans College of Law, Law Clinic**

Davida Finger serves as a Clinical Professor of Law at Loyola University New Orleans College of Law where she teaches the Community Justice section of the Law Clinic. She and her clinic students represent on cases such as: landlord-tenant, housing discrimination, education, and on other civil rights matters. In addition to litigating cases, Professor Finger strives to collaborate on community advocacy for anti-poverty and justice initiatives.

Jane Place Neighborhood Sustainability Initiative is a Community Land Trust (CLT) and housing rights organization committed to creating sustainable, democratic, and economically just neighborhoods and communities in New Orleans. We work to transform unjust housing policies, discriminatory practices, and predatory development schemes by engaging in strategies that create permanently affordable housing, expand housing security, and uphold equitable housing patterns and land-use planning. We are celebrating our tenth anniversary with a series of programs and projects of which this report is a part.

JPNSI Staff

Breonne DeDecker
Program Manager, Housing & Advocacy
Y. Frank Southall
Lead Organizer,
Community Engagement Coordinator

JPNSI Board of Directors

Brice White, Interim Board Chair
Miriam Isabel Barrios, Secretary
David Harms, Treasurer
Hannah Adams
Robert Henig Bell
Maxwell Ciardullo
Atianna Cordova
Katie Hunter-Lowrey
Kim Washington

Principal Authors

This report was principally authored by Professor Davida Finger and Breonne DeDecker with the collective efforts of supporters and members of the Jane Place Board of Directors. We would like to thank everyone who provided feedback on the drafts and to those who shared their experiences.

Support Writer

Shana M. griffin, PUNCTUATE, co-founder and former JPNSI Board Member

Editors

Hannah Adams, JPNSI Board Member
Maxwell Ciardullo, Greater New Orleans Fair Housing Action Center and JPNSI Board Member

Maps

Maps and graphics for this report were created by Gabrielle Beaudry through Azavea's Summer of Maps program

Layout

Beck Levy

Jane Place Neighborhood Sustainability Initiative

2533 Columbus Street, Suite 104
New Orleans, LA 70119
www.jpnsi.org

Cover Image

Several families went through court-ordered eviction at this apartment complex in Mid-City in October 2018. JPNSI supported the tenants in their successful demands for extra time in the apartments, which they needed in order to find suitable replacement housing.

TABLE OF CONTENTS

I. Glossary of Terms.....	6
II. Executive Summary.....	7
III. Introduction.....	9
IV. Maps.....	11
V. Case Studies.....	17
VI. Conclusion & Recommendations.....	20

GLOSSARY OF TERMS

Renter/Tenant are used as interchangeable terms and refer to an individual or household's housing status. Under Louisiana laws, renters are referred to as "tenants." Colloquially, the term tenant is associated with renters in public housing or with housing vouchers. This has racialized the term, as the majority of individuals and households within public housing and with housing vouchers are low-income African American residents. We have chosen to use both the terms renter and tenant as a way to counteract this racialization.

Court ordered eviction refers to a Civil Court judgment ordering an eviction.

Informal eviction occurs when renters are forced out of an apartment by a landlord when the legal system is not involved. While a Louisiana owner is not entitled to unilaterally and extrajudicially evict a tenant, this is a routine way that tenants are displaced by eviction.

No cause eviction refers to a landlord ending a tenancy for no reason at the end of a lease or when the tenant is living in the property on a month to month basis. A no cause eviction means a tenant can be evicted even when they are current on rent or have not broken any clause in the lease.

Affordable housing refers to the measure of spending no more than 30% of one's monthly income on housing costs, be it rental or mortgage payments plus utilities. A household that makes \$25,000/year has a much different affordability threshold than a household, for example, that makes \$50,000/year. If a household is spending more than 30 percent of their income on housing, they are considered cost burdened; and if they are spending more than 50 percent of their income on housing they are severely cost burdened.

Redlining was a discriminatory practice in mortgage lending and real estate development established in 1935 by the Home Owners' Loan Corporation (HOLC) through Residential Security Maps, and institutionalized by the Federal Housing Administration's underwriting handbook, the Veterans Administration's G.I. Bill, and the U.S. Housing Authority. Redlined communities, which were predominantly Black, experienced declines in property values, abandonment by landlords, systematic disinvestment, and increased racial segregation and isolation. Individuals living in redlined neighborhoods were unable to access loans and mortgages to purchase homes, which severely impacted their ability to build wealth through homeownership. Consequently, contemporary racial disparities in wealth, education attainment, health outcomes, vulnerability to police violence, and increased risks of evictions correlate with historical patterns of redlining.

Median Household Income is the midpoint where half of New Orleans' households make above that income, and half make below that income. In 2016, median household income in New Orleans was \$38,621/year, however, large disparities in income exist for different racial groups. In 2016, white households earned an average of \$65,689, while Latinx households earned an average of \$35,638 and Black households earned an average of \$29,296. Median household income also differs between homeowners and renters. Homeowners have an average median household income of \$57,000/year, while the median household income for renters is \$24,000. Median household income includes households of all sizes, from individuals to larger families.

Area Median Income (AMI) is the midpoint for incomes in a specific geographic area which takes household or family size into account. The Department of Housing and Urban Development (HUD) calculates AMI for the eight parish metro area. It includes households that live in communities with significantly higher incomes than New Orleans, such as St. Tammany Parish, where the median household income is \$64,639. The Area Median Income (100% AMI) for Metro New Orleans for a family of four is currently \$65,600. AMI is used to calculate income targets for affordable housing programs.¹

EXECUTIVE SUMMARY

New Orleans is facing a growing displacement crisis. As the cost of living has increased, low-income families increasingly struggle to find stable, habitable, and affordable housing. Since 2000, when controlling for inflation, rents have risen 49% while incomes have seen an 8% decrease in the same period. Incomes are not increasing at the same rate as housing costs, and rents continue to rise. Many neighborhoods are rapidly changing, racially and economically, and have become prohibitively expensive for the majority of the city's residents.

While some residents might find themselves gradually priced out of a neighborhood, others face a more sudden kind of displacement: eviction. Displacement by eviction causes housing volatility, neighborhood instability, homelessness, financial stress, poverty, emotional distress and loss of hope. The eviction crisis in New Orleans is supported by an arcane legal regime that governs landlord-tenant matters in Louisiana, and favors landlords over tenants. This structural arrangement perpetuates economic, social, racial, gender, and political inequality across the state.

The subject of evictions has been an under-analyzed aspect of New Orleans' deepening housing crisis. Crucially, data surrounding evictions in New Orleans, and their impact on individuals and neighborhoods, has never been analyzed locally in a comprehensive way. Until now, there were no public datasets of evictions filed and ordered in Orleans Parish available. Records of eviction cases were buried in individual court files, located at First City Court on the East Bank and Second City Court on the West Bank. There was no meaningful way to understand the scale of the eviction crisis, analyze changes over time, understand where evictions are geographically concentrated, or why they occur.

METHODOLOGY

In 2016, Professor Davida Finger began an empirical research project to analyze evictions in New Orleans. Professor Finger submitted a series of public records requests to the courts, eventually compiling a dataset that includes the eviction cases filed and ordered in First and Second City Courts² between January 1st, 2015 and June 30th, 2018. This dataset is the first comprehensive set of data on evictions known for New Orleans.³

In 2018, Professor Finger partnered with Jane Place Neighborhood Sustainability Initiative (JPNSI) to analyze the database. The eviction database was selected for the competitive Summer of Maps program run by Azavea, a B corporation that creates civic geospatial software and data analysis. Over three months, Breonne DeDecker, Program Manager of Housing and Advocacy at JPNSI, and Professor Finger worked with Summer of Maps fellow Gabrielle Beaudry. Ms. Beaudry used ArcGIS spatial data to map evictions across New Orleans to illuminate the hidden geography of the eviction crisis.

KEY FINDINGS INCLUDE:

- ***One out of every 19 renter households in New Orleans faced a court-ordered eviction in 2017.⁴ This number does not include the number of renter households who are evicted informally or residents who experienced more than one eviction in a year.***

The dataset uses court eviction records; it captures only evictions that involved the legal system. Since no reporting system quantifies the magnitude of extrajudicial, informal eviction, the eviction-ordered data set used in this report is a decidedly conservative estimate of the size of the eviction crisis.⁵

- ***New Orleans' overall eviction rate is nearly double the rate of evictions nationally, with some neighborhoods experiencing evictions close to four times the national rate.⁶***

In 2017, New Orleans' eviction rate was 5.2%, while the national average is 2.8%. The most affected neighborhood in New Orleans is Little Woods, in New Orleans East, with an eviction rate of 10.4%.

- ***Between January 2015 and June 2018, an estimated 24,000 individuals were displaced due to a court-ordered eviction.***

This number was calculated by comparing the number of court ordered evictions in a designated census block and the average household size of the same designated census blocks. By comparing these numbers we estimated the average number of individuals displaced per eviction. Individuals with repeat court-ordered evictions were counted only once.

- ***Evictions disproportionately impact neighborhoods with predominantly Black residents.⁷***

Eviction rates are highest in neighborhoods that are predominantly Black, with one in four renter households facing a court ordered eviction between 2015 and 2017.

- ***Eviction rates are higher in neighborhoods that experienced historic redlining and subsequent disinvestment.***

To identify this relationship, we compared 2017 eviction rates against the Home Owners' Loan Corporation (HOLC) 1939 Residential Security Maps for New Orleans. Communities that were redlined experience evictions seven times the rate of neighborhoods that were rated most desirable for lending.

- ***Evictions occur at higher rates in neighborhoods that are more affordable.***

Some of the highest eviction rates are in neighborhoods that have some of the lowest private-market rents. Residents in these neighborhoods are experiencing the highest housing cost burdens despite the comparatively lower housing costs. Residents in these neighborhoods also face the highest barriers to accessing economic opportunities such as quality jobs, reliable public transportation, and suffer from a lack of amenities such as grocery stores.

INTRODUCTION

Evictions cause lasting damages to individuals and families that stretch far beyond the eviction hearing in court. Studies show that evictions can lead to job losses, health crises, impact children's school performance, and limit future housing options.⁸ Understanding the pervasiveness of evictions in New Orleans and its impact on renter households is crucial given the majority of New Orleanians are renters. Renters make up 55% of the city's population, and are often disproportionately cost burdened. Cost burdened as defined by the Department of Housing and Urban Development (HUD) is paying more than 30% or more of household income towards housing and utilities. In 2017, 63% of renter households in the city were housing cost burdened, with 37% of renter households being severely cost burdened, meaning they dedicate more than 50% of their income towards housing costs.⁹ Severely cost-burdened households are more vulnerable to housing insecurity and eviction in the event of a crisis or unexpected financial cost. In New Orleans, 4 out of every 5 cost burdened renter households are Black.¹⁰

While the relationship between income, housing cost burden, and evictions is clear, there are other reasons why evictions likely occur. For example, in Louisiana, a renter may not withhold rent even when the rental home is uninhabitable, a strategy that is legal for tenants in other states as a means to force repairs. In reviewing American Housing Survey data from 2015, the Greater New Orleans Fair Housing Action Center found that tens of thousands of rental properties in New Orleans fell below basic habitability standards,¹¹ meaning housing units have water leaks, pest infestations, electrical wiring hazards, and other major issues that impact the health and safety of the renters. If a renter does stop paying rent when, for example, there is no working heat in the winter, the tenant is vulnerable to eviction.

With an eviction on record, a tenant's housing options can become restricted, amplifying existing obstacles to safe and affordable housing. If the owner believes that rent was still owed at the time of the eviction, they can send the amount in controversy to a collections agency as a delinquent debt. Landlords can take this action even when the eviction is a retaliatory action against the renter for reporting habitability issues with the unit. Screening companies can locate eviction records, and place tenants who have had a court ordered eviction on "do not rent" lists. These lists are sold to property owners or managers so they can discriminate against tenants who have faced eviction. Renters with evictions on record are thus often blocked from large percentages of rental housing and forced into less desirable housing options, often in neighborhoods with higher rates of racial and economic segregation.¹²

When a tenant is evicted due to non-payment of rent or the renter violates the lease requirements for move-out, the security deposit is at risk. Renters without other savings to rely on do not necessarily have the financial means to pay a deposit on a new rental. If an unscrupulous landlord withholds the security deposit, renters can be driven deeper into housing insecurity, or even homelessness. For the most vulnerable households with the least amount of economic security, loss of a security deposit leaves them without the ability to secure new housing. Thus, security deposit theft can drive tenants into homelessness, deepening the negative impacts of the eviction.

When owners wrongfully withhold the security deposit of a subsidized voucher household, it can also place the housing voucher at risk. Without the ability to pay a security deposit on a new apartment or house, a renter may permanently lose the voucher for failure to use it within as little as 60 days.¹³ The lack of funds for a new deposit is not generally an acceptable justification for an extension of time for voucher use. If a tenant loses a voucher, she will have to wait until the next time the Housing Authority of New Orleans (HANO) opens the waiting list to reapply. Currently, there are over 35,000 families on the waiting list for vouchers or public housing units.¹⁴

The post-Hurricane Katrina demolition of public housing in New Orleans and the shift to a voucher-based subsidy system has also contributed to renters' vulnerability to evictions. Tenants in public housing have a right to a pre-eviction administrative grievance process that can delay or stop an eviction, and/or result in alternative remedies. Because participants in the Housing Choice Voucher Program, commonly referred to as Section 8, rent from private landlords and not a public housing authority, they do not have the same legal protections. Section 8 renters can be charged up to 40% of their adjusted monthly income on rent in the first year of a lease, as opposed to the 30% cap in public housing. There is no cap on the percentage of income after the first year if the landlord chooses to raise the rent above the housing authority's rent ceiling, called the payment standard. In addition, because Section 8 tenants are frequently responsible for utilities, their housing costs can be pushed well above affordability standards. For these reasons, renters who use Section 8 vouchers may be more vulnerable to eviction than those who are residing in traditional public housing.

National data on gender and evictions suggests that low-income women—especially poor women of color—have a high risk of eviction.¹⁵ The data studied here shows that in New Orleans, gender and race are likely predictors of increased eviction rates within communities; as female-headed family households increase in a block group,¹⁶ eviction rates slightly increase.¹⁷

New Orleans, like municipalities around the United States, has maintained historic segregation in ways that continue to fuel a racially disparate housing market and discrimination in housing practices. The City's recent history reflects the continuity of this tradition. In the aftermath of the 2005 Gulf Coast hurricanes, federal rebuilding dollars were spent in a racially discriminatory manner that thwarted African American rebuilding and recovery.¹⁸

In reflecting on the City's recent tricentennial, New Orleans housing advocates commented on persistent segregation and inequality in housing:

And yet, as recently as early 2018, our City government has failed to require developers to include any affordable housing units in an up-and-coming neighborhood on high ground... At worst, these practices appear bent on repeating or building on segregationist policies that facilitate wealth creation for whites and deny health, wealth, and opportunity to blacks. At best, they postpone action that is urgently needed to address re-segregation and isolation of low-income renters and stark racial wealth inequality.¹⁹

Beyond the individual and family impacts, the eviction geography of the city demonstrates that Black neighborhoods experience higher rates of eviction and displacement than white neighborhoods, resulting in increased neighborhood instability. The finding that predominantly Black neighborhood block groups experience significantly higher eviction rates is a stark reminder that Black communities bear the ongoing costs of segregation and targeted exclusion.

MAPS AND CHARTS

Evictions are a large—and growing—aspect of New Orleans’ housing crisis. The following maps and charts explore the eviction crisis, illuminating how evictions are a common occurrence in many predominantly Black neighborhoods. The negative impacts of evictions are heavily concentrated amongst Black New Orleanians, particularly Black New Orleanians who live in the most economically and racially segregated neighborhoods.

Between 2015 and 2017, First City Court reported 14,422 eviction cases filed and 8,824 evictions ordered. When Second City Court (2015-June 2018) is included, 15,518 evictions were filed across New Orleans, and 13,309 evictions were ordered. Evictions are heard in First and Second City Court roughly four times a week. In the first six months of 2018, there were 2,998 court ordered evictions, meaning approximately 31 households were evicted each day the courts undertook eviction cases.

EVICTION RATE, COST BURDEN, AND LACK OF AFFORDABLE HOUSING

Figures 1 and 2 depict the relationship between rent burden and court-ordered evictions, highlighting the correlation between evictions and neighborhoods where renters are cost-burdened and severely cost-burdened. Evictions are highly correlated to neighborhoods where renters are cost burdened and severely cost burdened. Moreover, both housing cost burden and evictions are concentrated in neighborhoods that are majority Black.

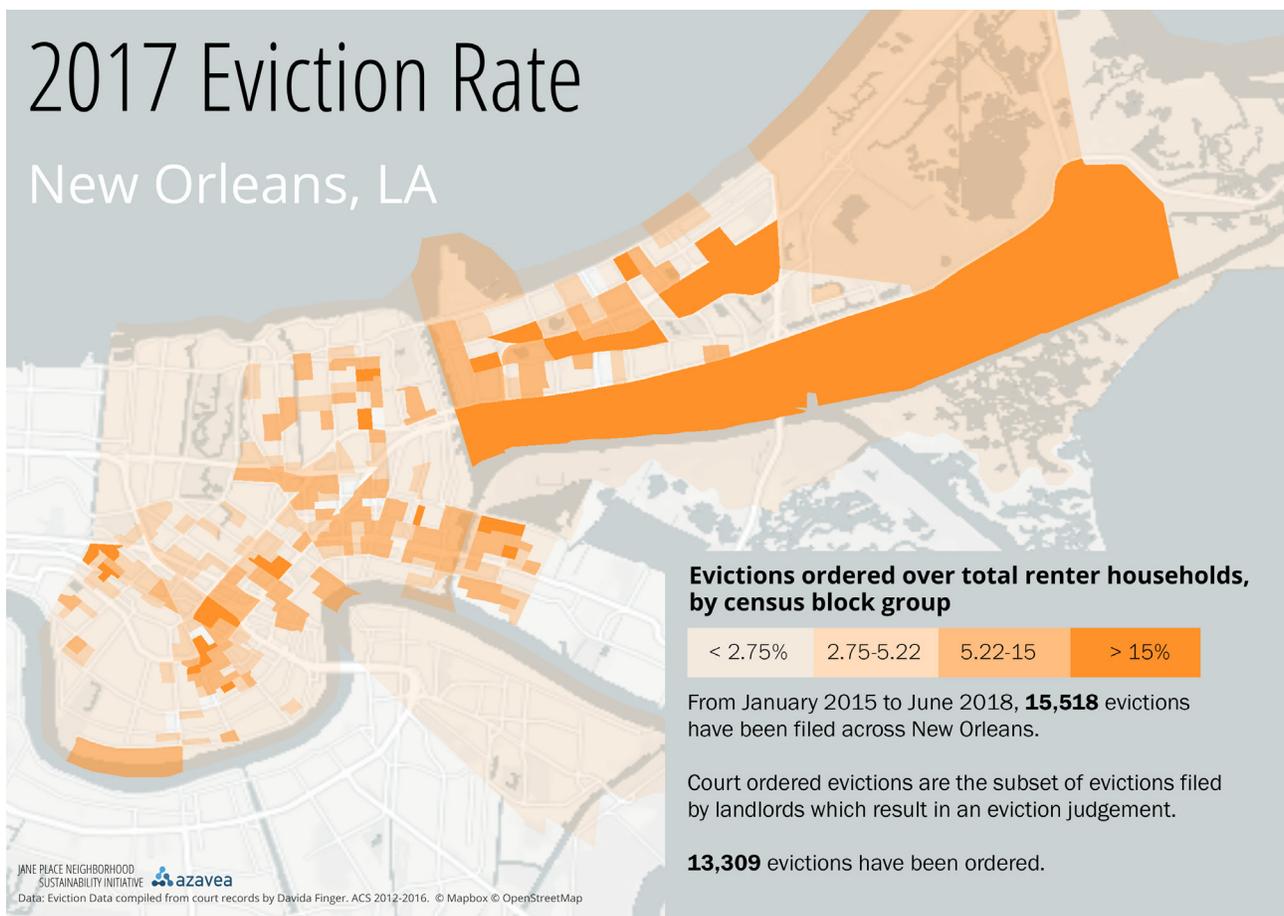


Figure 1: Map shows eviction rates across neighborhoods for 2017, the last full year included in this empirical study. The text box (bottom right) contains data over 3.5 years of court records.

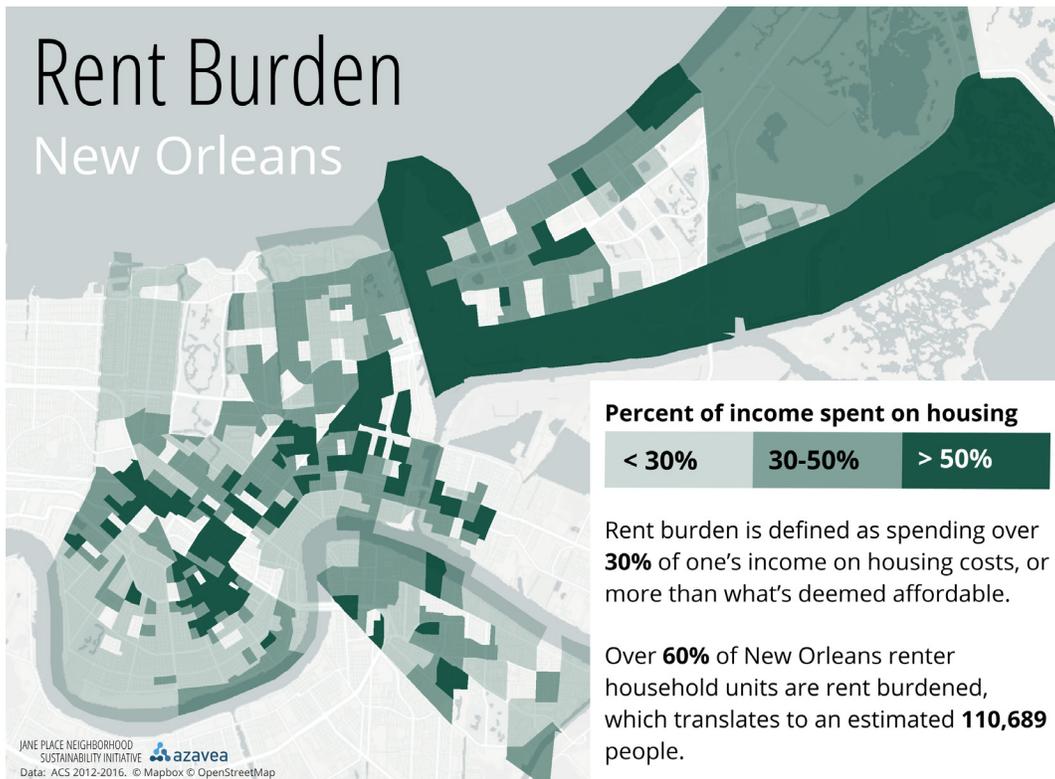


Figure 2: Rent burden across New Orleans between 2012 and 2016.

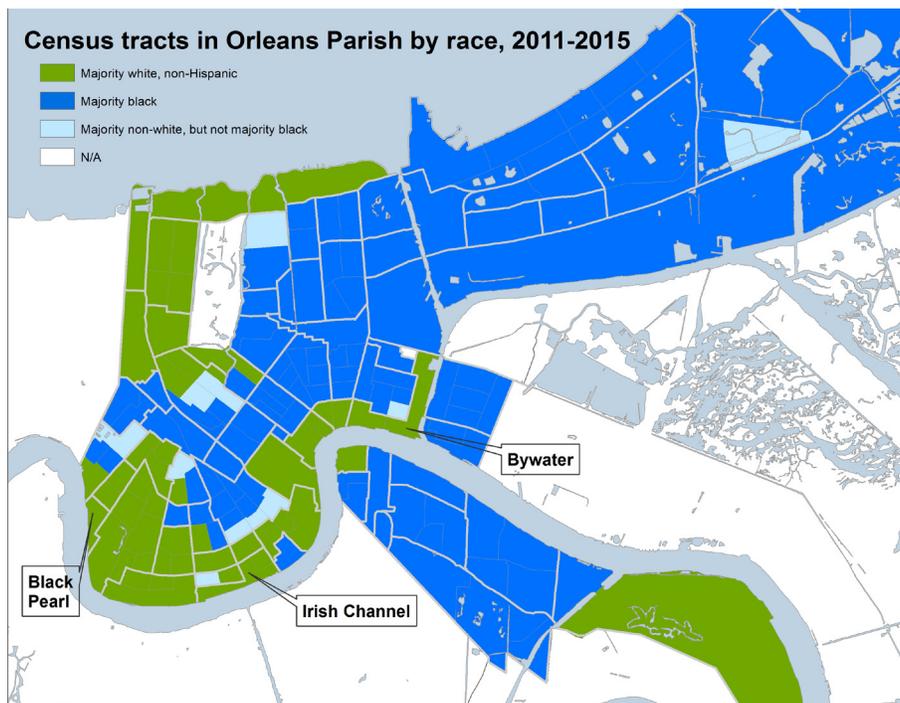


Figure 3: Map provided by the Greater New Orleans Fair Housing Action Center

As of 2016, there were only 41 affordable housing units available for every 100 renter households making 50% Area Median Income (AMI). For every 100 households making 30% AMI, there were only 33 affordable housing units.²⁰ The following charts illustrate the AMI income levels for New Orleans, and the demand for affordable housing at 30%, 50%, and 80% AMI versus the number of housing units affordable for households at those income levels. The discrepancy between the need for deeply affordable housing and the housing supply means most renters between 30%-50% AMI are in housing units that are unaffordable for their income.

The imbalance between the number of individuals and families in need of deeply affordable housing and the lack of availability of such housing partially explains why eviction rates are higher in neighborhoods that are considered to be relatively low-cost.

In 2016, the median income for renter households in New Orleans was \$24,000/year.²¹ To not be cost-burdened, a household at this income level should not spend more than \$600 per month in rent and utilities, but the median market rate rent for a 2-bedroom is currently \$996,²² without factoring in utilities. Neighborhoods with some of the lowest-cost market-rate housing are seeing some of the highest rates of evictions, which could partially be due to the disparity in what the average renter households can afford and what can be found on the market. For example, in 2016, the median gross rent (rent and utilities) in Little Woods was \$877.²³ Even at this comparatively lower price point, the average rental household in New Orleans would struggle to cover the average housing cost in Little Woods. But housing is a basic necessity. Individuals and families will still enter into leases that demand far higher rents than they can afford, leaving them vulnerable to eviction and housing insecurity in the face of unexpected costs such as illnesses, job losses, or a necessary car repair.

Area Median Income for New Orleans, Louisiana, 2018

	Number of Persons in Household					
	1	2	3	4	5	6
Low Income (80% AMI)	\$35,500	\$40,550	\$45,600	\$50,650	\$54,750	\$58,800
Very Low Income (50% AMI)	\$22,200	\$25,350	\$28,500	\$31,650	\$34,200	\$36,750
Extremely Low Income (30% AMI)	\$13,300	\$16,240	\$20,420	\$24,600	\$28,780	\$32,960

Affordable and Available Rental Units per 100 Households at or Below, as of 2016

At or Below Extremely Low Income (30% AMI)	33
At or Below Very Low Income (50% AMI)	41
At or Below Low Income (80% AMI)	94

Deficit of Affordable and Available Rental Units, as of 2016

At or Below Extremely Low Income (30% AMI)	-37,165
At or Below Very Low Income (50% AMI)	-51,166

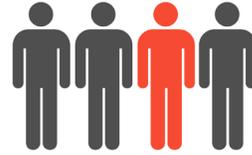
Figure 4: Area Median Income (AMI) per family size in New Orleans; Affordable and Available Rental Units for Households at certain AMI levels

THE DEMOGRAPHICS OF EVICTIONS

Court ordered evictions are occurring at much higher rates in neighborhoods that are majority Black. Between January 2015 and June 2018, in highly segregated block groups where over 90% of the population is Black, one out of every four renter households had an eviction order. These highly segregated block groups make up just 29% of the total 497 block groups in Orleans Parish, but disproportionately host a majority of the court ordered evictions. Between 2015 and 2017, 51% of all court ordered evictions occurred within these communities.

Comparatively, in block groups that are 0-25% Black, only one out of every 24 renter households experienced an eviction in the last three years. This means that block groups that are predominately Black experience approximately 31 more evictions per block group.

In neighborhoods that are majority Black, **one in four** renters experienced a court ordered eviction.



In neighborhoods that are majority white, **one in twenty four** renters experienced a court ordered eviction.



Figure 5: Comparison between eviction rates in predominantly Black neighborhoods and predominantly white neighborhoods from 2015 to June 2018

THE DETRIMENTAL LEGACY OF REDLINING

In 1939, the Home Owner's Loan Corporation (HOLC) produced a map of New Orleans, ranking levels of 'security' in real estate investment through a color-coded system. These maps, produced for hundreds of cities across the country, served as an atlas of discrimination—codifying racial and economic segregation and spatial inequality through a 'risk' value system.

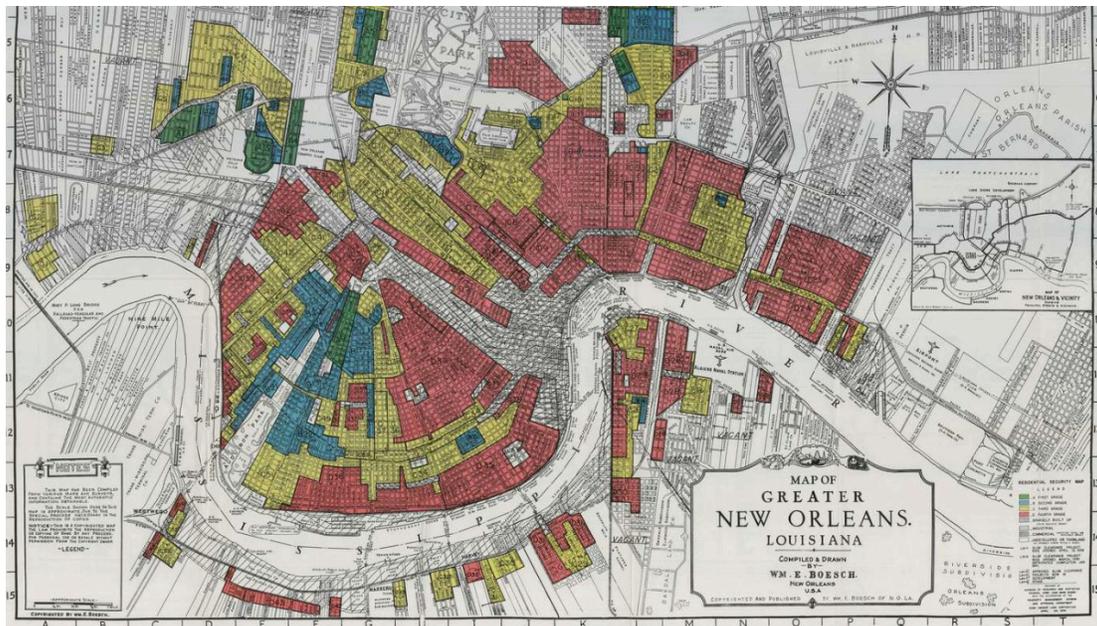


Figure 6: 1939 Redlining Map of New Orleans

Neighborhoods outlined in green and known as Type A were considered 'desirable' for lending purposes; those colored blue as Type B were noted as 'still desirable'; yellow or Type C indicated the areas were 'declining'; and communities marked in red as Type D were considered 'hazardous' for mortgage capital support. The practice of redlining regarded certain communities 'safe' for investment, and others as 'risky' based primarily on the racial and ethnic composition of a neighborhood. White communities, coded

green, were able to easily access mortgages and underwriting. Lenders, backed by the federal government, steered loans away from communities of color, especially in neighborhoods predominantly occupied by Black residents, which were coded red. Integrated communities were coded yellow, and were also systematically denied investment and mortgages.

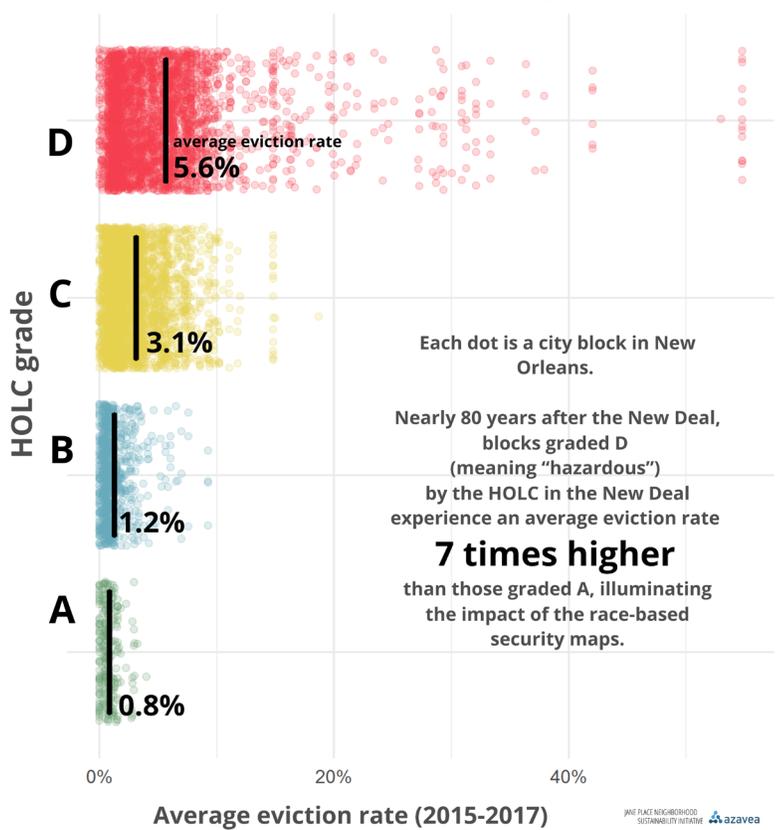


Figure 7

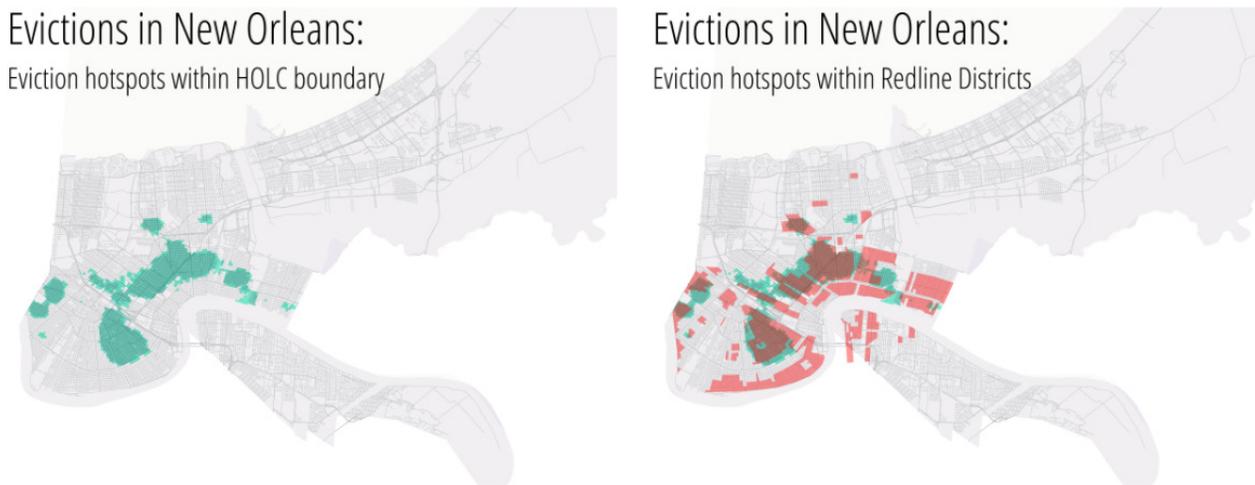


Figure 8: These maps were produced by juxtaposing current eviction data (depicted in green) onto New Orleans redlining map created by the Home Owner's Loan Corporation in 1939 (depicted in red).

The legacy of redlining is still impacting residents within affected neighborhoods, with formerly redlined neighborhoods experiencing much higher rates of eviction. Many of the neighborhoods that are coded red on the map on the right were majority Black during the decades where redlining was legally sanctioned, and these communities suffered systemic disinvestment. The eviction data overlaid onto the 1939 redlining map are census block areas that experienced high eviction rates between 2015-2017.²⁴

DISPLACEMENT

Neighborhoods redlined in the late 1930s that are not currently experiencing high eviction rates are areas of the city that have undergone rapid gentrification, and the displacement of Black households over the past ten years including the Irish Channel, the Bywater, Black Pearl, and the Lower Garden District. Black displacement by eviction demonstrates ways historical disinvestment and segregation continue to mark the City of New Orleans negatively. The eviction geography of New Orleans is clearly concentrated in neighborhoods that are predominantly Black.

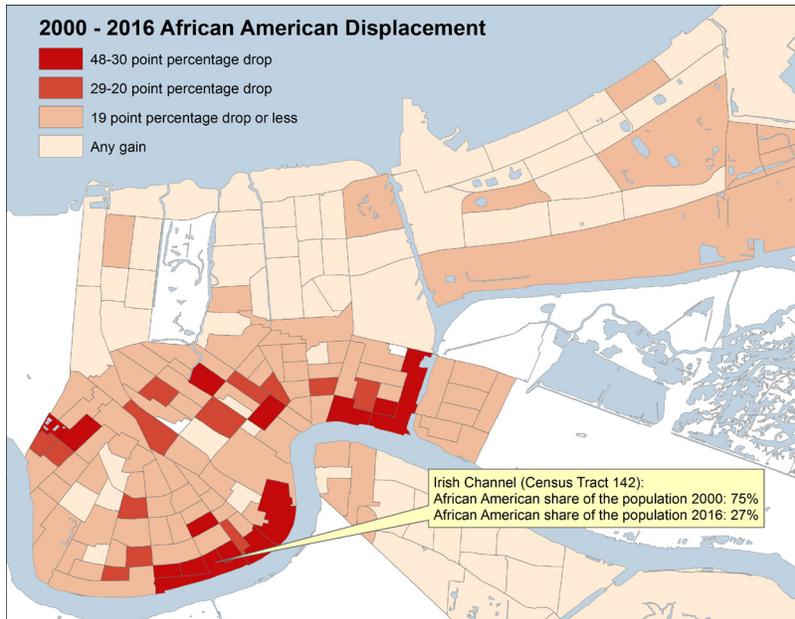


Figure 9: Greater New Orleans Fair Housing Action Center map illustrating the loss of Black households across New Orleans between 2000-2016

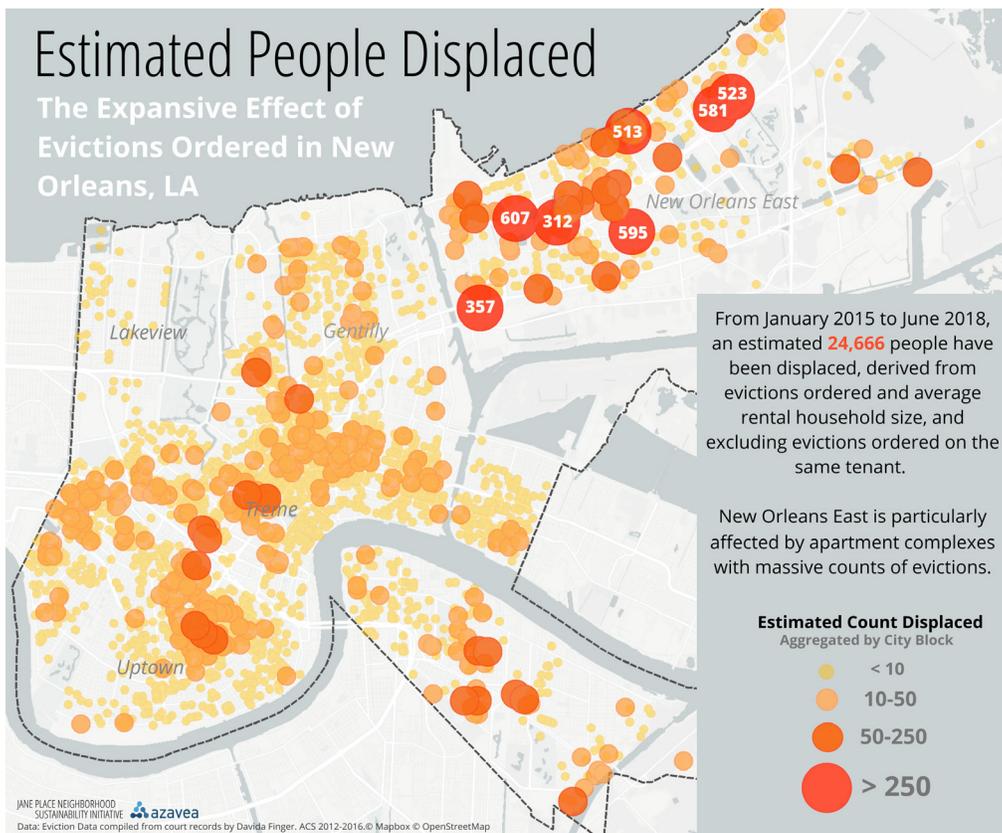


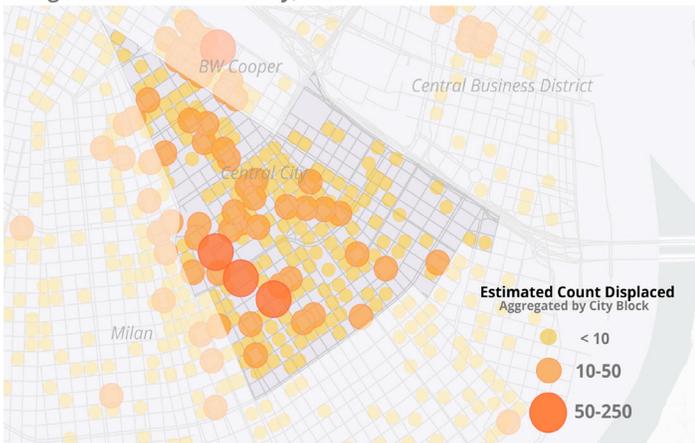
Figure 10

NEIGHBORHOOD CASE STUDIES

The following maps explore the eviction crisis at the neighborhood level, highlighting Central City, Hollygrove, St. Roch, Treme/Lafitte, and Little Woods.²⁵ These neighborhoods are geographically diverse, and have different histories of development, disinvestment, and redevelopment post-Hurricane Katrina. Several of these neighborhoods are undergoing rapid gentrification due to increased speculation and development pressures in the housing markets. Many historically redlined communities have experienced spikes in evictions over the past three years, alongside private and public investment within the neighborhood.²⁶ Demographically, these neighborhoods are majority Black, although parts of Central City, Treme/Lafitte and St. Roch have undergone significant demographic shifts post-Hurricane Katrina.²⁷ All have higher-than-average eviction rates, with some neighborhoods experiencing rapid escalations in evictions over the past few years.

In 2017, the national average for evictions was 2.8% of renter households. New Orleans' rate is nearly double the national rate at 5.2%. The most affected neighborhood in New Orleans is Little Woods, where 10.4% of all renter households experienced a court ordered eviction in 2017. The real number of evictions is certainly far higher, as there is no way to determine how many renters in New Orleans are informally evicted.

Estimated People Displaced by Evictions Neighborhood: Central City, New Orleans

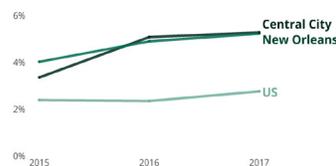


Between January 2015 and June 2018, an estimated **1,451** people have been displaced from Central City.

Central City New Orleans		
Median Household Income:	\$23,481	\$43,644
Employment Rate:	83%	88.9%
Racial Majority:	76% Black	58.6% Black
People Displaced since 2015:	1,451	20,644
Population:	13,543	382,922
2017 Eviction Rate:	5.27%	5.22%
Rent Burden:	40.1%	36.9%

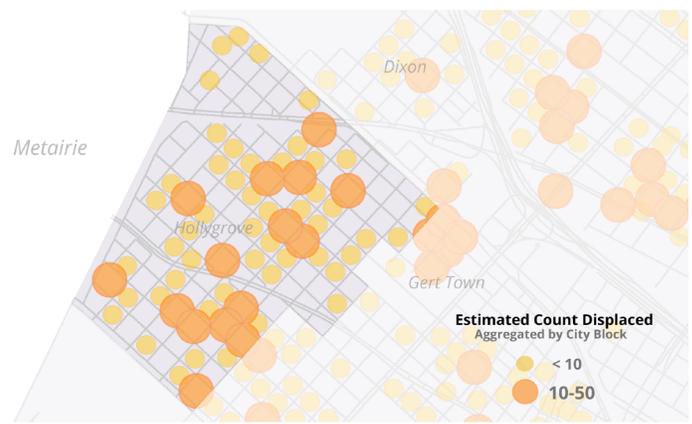
The 2017 eviction rate in Central City is **5.27%**, compared to the New Orleans rate of **5.22%** and the national average of **2.75%**.

Comparing Eviction Rates



Methodology: People displaced derived from evictions ordered and average household size, excluding evictions ordered on the same tenant. Eviction rate is count of evictions ordered over total rental units.
Data: Evictions ordered compiled from courthouse records by Davida Finger. Demographic data from ACS 2012-2016.
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Estimated People Displaced by Evictions Neighborhood: Hollygrove, New Orleans

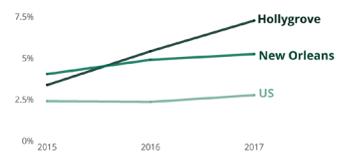


Between January 2015 and June 2018, an estimated **476** people have been displaced from Hollygrove.

Hollygrove New Orleans		
Median Household Income:	\$24,190	\$43,644
Employment Rate:	83%	89%
Racial Majority:	86% Black	58.6% Black
People Displaced since 2015:	476	20,644
Population:	5,854	382,922
2017 Eviction Rate:	7.26%	5.22%
Rent Burden:	45%	37%

The 2017 eviction rate in Hollygrove is **7.26%**, compared to the New Orleans rate of **5.22%** and the national average of **2.75%**.

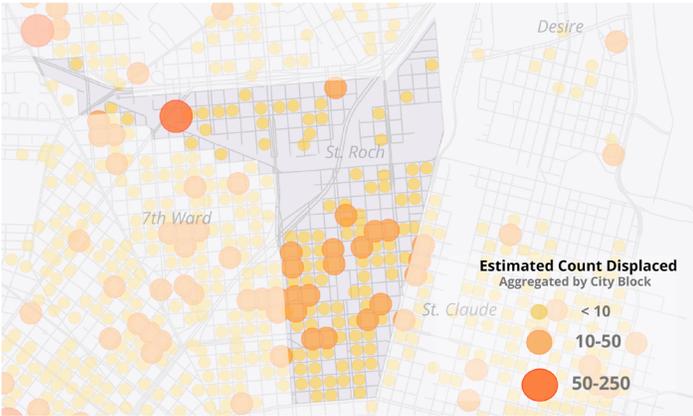
Comparing Eviction Rates



Methodology: People displaced derived from evictions ordered and average household size, excluding evictions ordered on the same tenant. Eviction rate is count of evictions ordered over total rental units.
Data: Evictions ordered compiled from courthouse records by Davida Finger. Demographic data from ACS 2012-2016.
JANE PLACE NEIGHBORHOOD SUSTAINABILITY INITIATIVE azavea

Figures 11-12

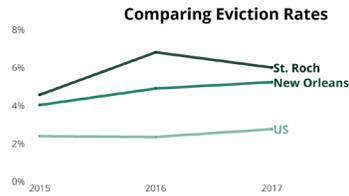
Estimated People Displaced by Evictions Neighborhood: St. Roch, New Orleans



Between January 2015 and June 2018, an estimated **657** people have been displaced from St. Roch.

St. Roch New Orleans		
Median Household Income:	\$23,281	\$43,644
Employment Rate:	89.5%	88.9%
Racial Majority:	86% Black	58.6% Black
People Displaced since 2015:	657	20,644
Population:	6,413	382,922
2017 Eviction Rate:	5.99%	5.22%
Rent Burden:	41%	36.9%

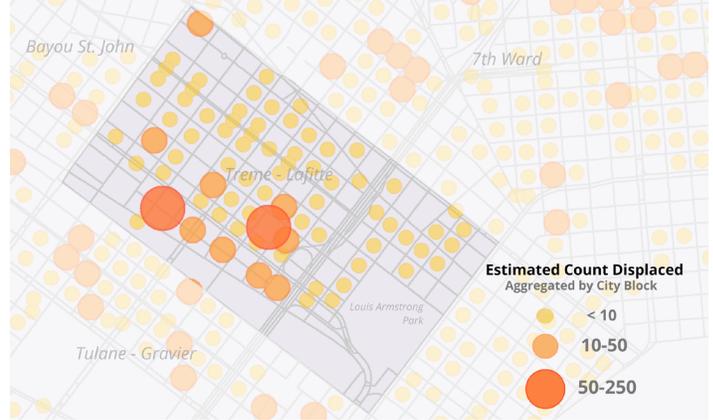
The 2017 eviction rate in St. Roch is **5.99%**, compared to the New Orleans rate of **5.22%** and the national average of **2.75%**.



Methodology: People displaced derived from evictions ordered and average household size, excluding evictions ordered on the same tenant. Eviction rate is count of evictions ordered over total rental units. **Data:** Evictions ordered compiled from courthouse records by Davida Finger. Demographic data from ACS 2012-2016.

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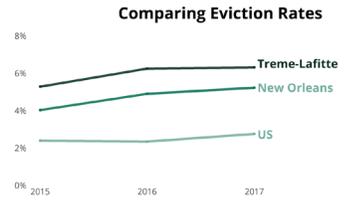
Estimated People Displaced by Evictions Neighborhood: Treme Lafitte, New Orleans



Between January 2015 and June 2018, an estimated **668** people have been displaced from Treme - Lafitte.

Treme - Lafitte New Orleans		
Median Household Income:	\$25,110	\$43,644
Employment Rate:	86.9%	88.9%
Racial Majority:	72% Black	58.6% Black
People Displaced since 2015:	668	20,644
Population:	4,509	382,922
2017 Eviction Rate:	6.3%	5.22%
Rent Burden:	42%	36.9%

The 2017 eviction rate in Treme-Lafitte is **6.3%**, compared to the New Orleans rate of **5.22%** and the national average of **2.75%**.

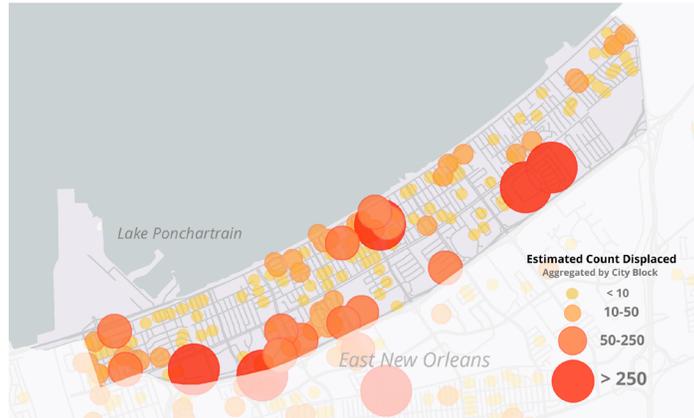


Methodology: People displaced derived from evictions ordered and average household size, excluding evictions ordered on the same tenant. Eviction rate is count of evictions ordered over total rental units. **Data:** Evictions ordered compiled from courthouse records by Davida Finger. Demographic data from ACS 2012-2016.

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Figures 13-14

Estimated People Displaced by Evictions Neighborhood: Little Woods, New Orleans



Between January 2015 and June 2018, an estimated **4,591** people have been displaced from Little Woods.

Little Woods New Orleans		
Median Household Income:	\$29,405	\$43,644
Employment Rate:	92%	88.9%
Racial Majority:	96% Black	58.6% Black
People Displaced since 2015:	4,591	20,644
Population:	35,178	382,922
2017 Eviction Rate:	10.4%	5.22%
Rent Burden:	43%	36.9%

The 2017 eviction rate in Little Woods is **10.4%**, compared to the New Orleans rate of **5.22%** and the national average of **2.75%**.

Methodology: People displaced derived from evictions ordered and average household size, excluding evictions ordered on the same tenant. Eviction rate is count of evictions ordered over total rental units. **Data:** Evictions ordered compiled from courthouse records by Davida Finger. Demographic data from ACS 2012-2016.

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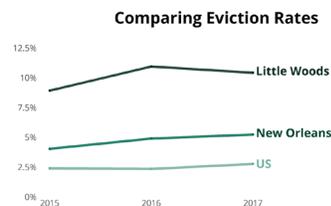


Figure 15

RECOMMENDATIONS & CONCLUSION

The eviction geography of New Orleans has a lasting effect on individuals, families, and communities, often resulting in an accumulation of adverse outcomes in neighborhoods occupied predominantly by Black residents.

The clusters of evictions in neighborhoods, taken together with high rates of racial segregation, rent cost burdens, and histories of disinvestment, demonstrate how poverty, discriminatory housing practices, and lack of legal protections for renters have impeded the goal of building healthy communities for all New Orleanians. The following policies at the state and municipal levels should be implemented to address evictions and lessen some of the damages that eviction cause, both by preventing evictions and slowing down the process to allow tenants more time to pay rent or to locate replacement housing. These policies should be seen as the first steps to address the power disparities between landlords and tenants. Further action is necessary in order to truly address the magnitude of the crisis.

STATE POLICY RECOMMENDATIONS

Much of the work to address the eviction crisis needs to be done at the state level because state landlord-tenant laws govern the eviction process that burdens renters.

- ***10-day grace period for renters with unexpected expenses***

Louisiana law allows a landlord to file for an eviction file for an eviction the day after rent is due and even if a renter is only a few dollars short. Similar to laws in Alabama and Mississippi, this provision would allow renters who are late on rent up to 10 days to pay in full before the courts get involved.

- ***Replace 10-day no cause evictions with a standard 30 day notice***

Currently in Louisiana, landlords can file for a 10-day eviction for no cause against tenants on month to month leases. Thirty days is the national standards for no cause evictions. Given the deep housing crisis affecting New Orleans, tenants facing a 10-day eviction might struggle to find adequate and affordable replacement housing on such short notice.

- ***Ensure that a 5-day notice really means 5 days, not immediate eviction***

Most leases include clauses that waive the five day notice for an eviction. Most tenants either are not aware of the repercussions of that language or do not feel comfortable asking their landlords to remove that language before signing a lease. This language should be prohibited.

- ***Judicial flexibility for tenants with serious hardships***

Judges should be allowed to delay eviction for up to seven days to prevent undue hardship on the tenant because of severe disability, serious illness, dangerous weather conditions, or other exceptional circumstances. Judges should be allowed to have some discretion on cases in their court.

Housing advocates have won reform at the state level before. As of January 1, 2019, a new Louisiana law allows renters who win their security deposit case in court to recover increased damages for security deposit theft. Under this new law, if a landlord wrongfully withholds all or part of a security deposit, a tenant can recover the amount withheld plus the greater of twice the wrongfully withheld amount or \$300. Whether this law will be properly implemented now rests with the judiciary.

MUNICIPAL POLICY RECOMMENDATIONS

New Orleans' rising eviction rates are partially the result of cost-of-living increases and stagnant incomes.

Between 2012 and 2015, rents rose citywide roughly 20-25%, with several neighborhoods experiencing much larger increases. In addition to this slate of reforms, it is critical that the City of New Orleans invest resources in creating more permanently affordable rental housing opportunities, in particular housing reserved for individuals and families making 30%-50% AMI.

The relationship between cost burdened renters and evictions is clear—neighborhoods where households are paying more than 30% of their income towards housing experience high rates of eviction. The lack of deeply affordable housing in the private market perpetuates a cycle of stress and eviction that causes lasting damage to thousands of New Orleanians each year.

According to HousingNOLA's 2018 Report Card, New Orleans lost 129 affordable housing units. This is due to an overall reduction in the number of Housing Choice Vouchers for the city. In 2018, only 232 affordable housing units were produced, while 361 housing vouchers were lost. In 2017, only 488 affordable housing units were produced. The preservation and production of affordable housing is not keeping up with the need, leaving more tenants vulnerable to eviction and falling deeper into poverty.

In order to expand affordable housing opportunities for New Orleanians, and lessen the number of tenants who are rent burdened and vulnerable to eviction and displacement, we recommend the following policies.

- ***Make Inclusionary Zoning Mandatory by Passing a Smart Housing Mix Policy***

A Smart Housing Mix Policy that includes mandatory inclusionary zoning would bring more units of affordable housing online by ensuring that market rate and luxury developments include a percentage of units affordable for the average New Orleanian. In neighborhoods experiencing a building boom, such as the Central Business District (CBD) and MidCity, this would create housing for musicians and hotel workers to live near their jobs. Instead of one-off giveaways to developers, the city should provide clear, consistent rules, and provide incentives like density bonuses or reduced parking requirements. All income-restricted units that come online through inclusionary zoning should be permanently affordable, and should be targeted for households making 50% AMI or below. Our recommendations are for a set aside of 20% for affordable housing in private market developments.

- ***Pass the Healthy Homes Ordinance to Create a Rental Registry***

Because of the substantial imbalance between families in need of affordable housing for low income households, and the small number of available units, low income families do not have choices in the rental market and are forced to reside in properties in substandard and dangerous conditions. Thousands of families are living with mold, leaks, rats, and other hazards on a daily basis, with no real way to hold their slumlords accountable for property conditions. A rental registry to protect and promote the health of renters would have the following three provisions:

- All rental units should be registered with the City, and they must pass a basic habitability inspection every three years. This would include operational plumbing, electrical systems, smoke alarms, and heat. Roofs, windows, doors, and walls should be without holes and free of mold.
- Renters and neighbors are able to report landlords who refuse to make repairs. The City will be able to accept rental conditions complaints, and a website will be set up so residents can track the status of complaints and inspections. Tenants will be protected from retaliation by their landlord if they submit a complaint.
- Landlords pay for the program, not renters. The cost of the program will be fully funded by small

fees and larger fines.

- **Increase Support for Permanently Affordable Housing Held in Community Land Trusts**

Community Land Trusts (CLTs) are a powerful tool to promote development without displacement, ensuring that housing for low- and moderate-income residents is preserved and protected for generations using a shared equity model. CLTs are a non-profit, community-based organizations that develop permanently affordable rental, homeownership, or commercial properties. The CLT retains ownership over the land while providing subsidies to help low- to moderate-income families rent or buy homes sited on the land. The relationship between the CLT and the homeowners and tenants protects the housing from market speculation due to resale restrictions. Housing can only be occupied or sold to low or moderate-income residents, thus preserving and recycling any initial public money that went into the project. Housing developed by CLTs are removed from the market, protecting residents from speculation and gentrification occurring in the market. CLTs also have a strong track record of ensuring that CLT homeowners retain ownership during times of stress. During the 2008 housing crisis, homes with traditional mortgages went into foreclosure at eight times the rate of CLT homes.²⁸ There are over two hundred CLTs operating across the U.S. which have collectively produced over 15,000 permanently affordable housing units.

- **Match Commercial STR Permits and Affordable Housing Units**²⁹

For existing and future commercially-zoned rental buildings, allow commercial Short Term Rental “STR” permits only if they are paired with affordable units under one of two options:

- One-to-One Match with a Cap: Allow STR permits up to a cap of a certain percentage of the building’s total units (15%, 20%, 30%), but only if the building also holds a matching number of units affordable at 50% AMI.
- One-to-Two Match with no Cap: Allow an unlimited number of STR permits per building, but only if the building also provides two units of housing affordable at 50% AMI for every one STR permit.

ENDNOTES

- 1 Plyer, Allison, and Lamar Gardere. "The New Orleans Prosperity Index: Tricentennial Edition." The Data Center. April 11, 2018. Accessed January 02, 2019. https://www.datacenterresearch.org/reports_analysis/prosperity-index/.
- 2 Initially, the Orleans Second City Court did not seem able to provide the municipal addresses of court-ordered evictions requested without reviewing individual case files to retrieve. Because such methods would have proved to be too burdensome, data from the two zip codes covered by Second City court was not included in the 2017 data set and is not reflected in some of the findings reported here. By 2018, that data was made available and thus, the maps below do include those two zip codes for the half of 2018 where the data was made available.
- 3 Professor Finger's findings based on an earlier 2017 data set will be published in a forthcoming article in the University of District of Columbia Law Review, UDC/DCSL L. Rev. Volume 22. Some text in this report is drawn directly from that article, which is on file with the author, and should be referenced for full credits, sources, citations, and additional methods.
- 4 Individuals with repeat court ordered evictions at the same municipal address are excluded.
- 5 Harvard sociologist Matthew Desmond, author of the book *Evicted*, conducted extensive interview-based research of tenants in Milwaukee, Wisconsin from 2009 - 2011. He discovered that only 24% of evictions involved court orders, while 48% of evictions were informal—meaning tenants were twice as likely to be evicted without any sort of paper trail evident in public court records. The remaining evictions in Milwaukee during that time period were due to houses being foreclosed upon, or the building being condemned.
- 6 The eviction rate is calculated by dividing the total number of court-ordered evictions by the total number of rental units, times 100.
- 7 The most updated dataset of New Orleans evictions on file with the authors includes 13,309 evictions ordered from January 2015 to June 2018. Out of those evictions ordered, 11,231 have addresses and match to one of the 497 block groups in New Orleans. For the following findings, those 11,231 evictions ordered were analyzed against the 2012-2016 American Community Survey data for race by census block.
- 8 Desmond M., Kimbro, R.T. (2015). Eviction's fallout: housing, hardship, and health. *Social Forces*, 94, 295-324.
- 9 Mallach, Alan. Where Will People Live? New Orleans' Growing Rental Housing Challenge. Center for Community Progress and the New Orleans Redevelopment Authority, 22 June 2016, <https://www.nola.gov/nora/resources/nora-rental-housing-report/>.
- 10 Mallach, Alan. Where Will People Live? New Orleans' Growing Rental Housing Challenge. Center for Community Progress and the New Orleans Redevelopment Authority, 22 June 2016, <https://www.nola.gov/nora/resources/nora-rental-housing-report/>.
- 11 *New Orleans Substandard Rental Housing Crisis Continues*. January 2017. Issue Brief. Greater

New Orleans Fair Housing Action Center.

12 Desmond, M. (2015). Unaffordable America: poverty, housing, and eviction. Institute for Research on Poverty, 22, 1-6.

13 Federal regulations require a minimum of 60 days, but many housing authorities, including the Housing Authority of New Orleans as of this writing, provide up to 120 days.

14 Williams, J. (2018, July 15). More than 35K eligible families on waiting list for public housing assistance in New Orleans, data shows. Retrieved from https://www.theadvocate.com/new_orleans/news/article_86b403a6-75c5-11e8-a03b-a3480c190cd8.html

15 Faust, M. Kicking out Vulnerable: Segregation, Gender, and Evictions (Dec. 16, 2017) (on file with the author).

16 Block groups are statistical divisions of census tracts. They are generally defined to contain between 600 and 3,000 people. They are the smallest unit of measurement used by the Census to determine a community's demographics.

17 The court records that comprise the dataset do not include demographic data of the households facing eviction, so a fuller demographic analysis of the race, gender and familial status of evicted households is outside the scope of this report. While we expect that national trends regarding the relationship between gender, familial status and evictions hold true in New Orleans, further study on the exact demographics of the affected households must be done.

18 Hammer, D. (2010, August 17). Road Home's grant calculations discriminate against black homeowners, federal judge rules. Retrieved from https://www.nola.com/politics/2010/08/dc_federal_judge_finds_road_ho.html

19 Seicshnaydre et al., The Data Ctr., Rigging the Real Estate Market: Segregation, Inequality, and Disaster Risk 1-8 (2018), <https://s3.amazonaws.com/gnocdc/reports/TDC-prosperity-brief-stacy-seicshnaydre-et-al-FINAL.pdf>. at 8.

20 National Low Income Housing Coalition. The Gap: A Shortage of Affordable Rental Homes. Louisiana. (2018, March 19). Retrieved December 27, 2018, from <https://nlihc.org/gap/2016/la>

21 Mallach, Alan. Where Will People Live? New Orleans' Growing Rental Housing Challenge. Center for Community Progress and the New Orleans Redevelopment Authority, 22 June 2016, <https://www.nola.gov/nora/resources/nora-rental-housing-report/> (household size not indicated in the report).

22 National Low Income Housing Coalition. Out of Reach: Louisiana (2018, June 11). Retrieved December 27, 2018, from <https://nlihc.org/oor/louisiana>

23 US Census Bureau, American Community Survey (2016). 5 year estimates, Median Gross Rent, Orleans Parish.

24 As discussed above, we were unable to map individual neighborhoods on the West Bank of New Orleans in the Second City court zip codes. Thus, these maps do not correlate eviction rates

with neighborhood demographics on the West Bank.

25 Due to the lack of addresses associated with eviction records provided initially by Second City Court, we were unable to map the eviction rates of individual neighborhoods on the West Bank. Thus, we were unable to choose a West Bank neighborhood to spotlight.

26 St. Roch, in particular, had a spike in evictions in 2016. During that time period, the Rampart/St. Claude Streetcar was finished, and the St. Roch Market, an upscale food hall developed using public subsidies, opened.

27 According to Census data, between 2000-2016, some areas in Central City, Treme/Lafitte, and St. Roch lost close to 30% of all Black households. The sections of these neighborhoods that experienced the highest declines in Black households tend to be areas closest to the downtown job centers, are well served by public transportation, and near amenities such as grocery stores and green spaces. These areas are also heavily affected by rapid increases in whole home short term rentals between 2015-2018.

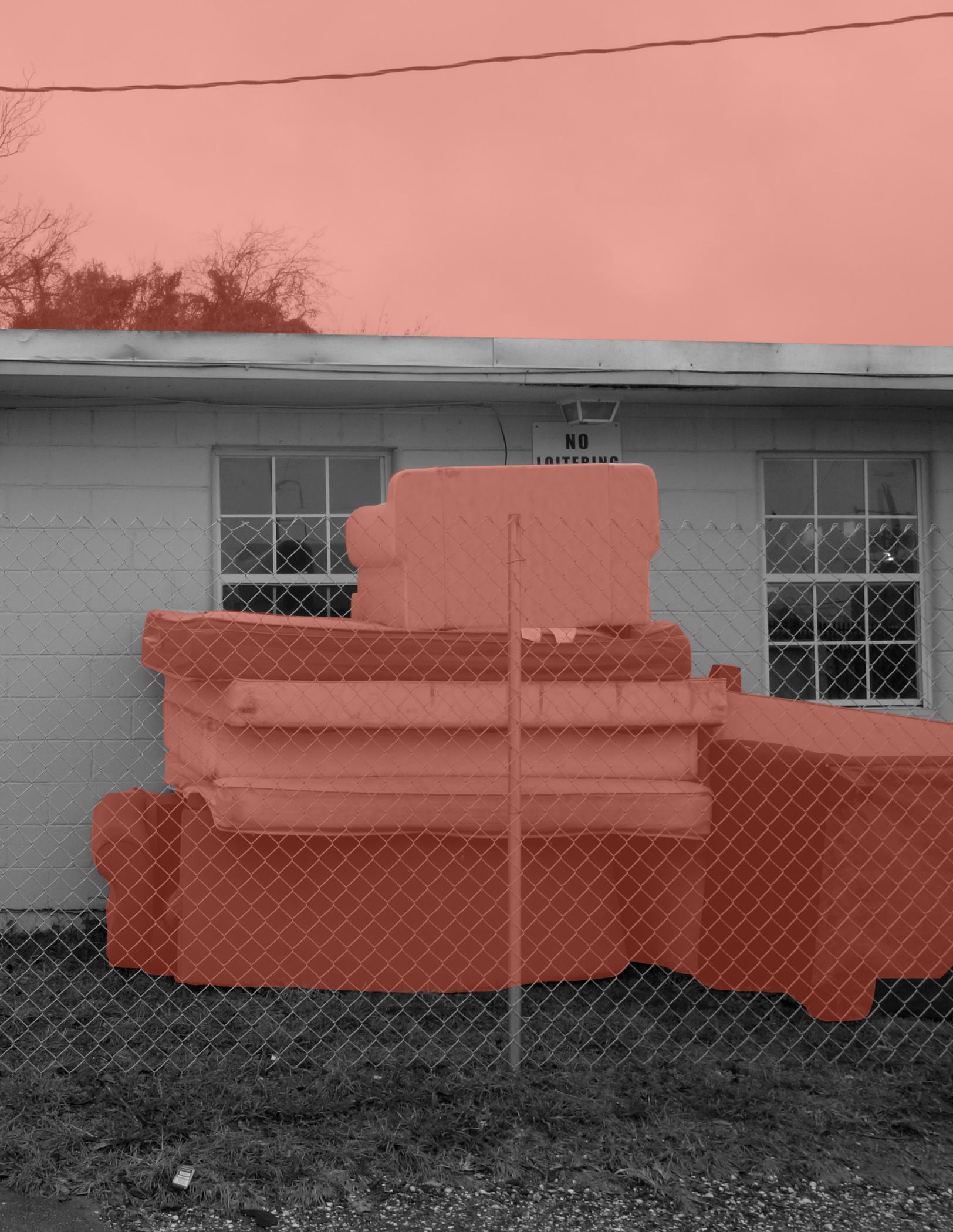
28 Thaden, E., & Rosenberg, G. (2010, October). Outperforming the Market. Retrieved January 18, 2019, from <https://www.lincolinst.edu/publications/articles/outperforming-market>

29 While analyzing eviction data for this report, we determined that there is a statistical relationship between increases in short term rentals (STRs) and evictions. Our model predicts that for every one percent increase in Short Term Rental rate, a 0.17 percent increase in eviction rate is predicted, holding all other variables constant. This means that in a block group in New Orleans, if only STR rate increased by one percentage, and all other variables in the model (percent Black renter householders, percent unemployed, percent cost burdened) stayed the same, we would expect eviction rate to increase by 0.17 percent. JPNSI will release a forthcoming white paper.

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