

# **Addressing the Eviction Crisis:**

## **An Evaluation of Two Court-Based Eviction Diversion Programs in Pennsylvania**

The Housing Alliance of Pennsylvania  
September 30, 2022

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**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.

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The views expressed are those of the authors and should not be attributed to the Urban Institute, its trustees, or its funders. Funders do not determine research findings or the insights and recommendations of the Housing Alliance of Pennsylvania.



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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:2-1-1) or visit <https://www.pa211.org/>

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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.

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### Pennsylvania Utility Commission

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

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

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## Executive Summary

Evictions diversion programs have the potential to bolster housing stability and mitigate the widespread harms that evictions cause. The COVID-19 pandemic has made eviction prevention efforts especially timely, and in Pennsylvania, several community eviction prevention efforts have been initiated during the pandemic to address these needs. We studied two eviction diversion programs working in Pennsylvania (one operating in Chester County and the other in Reading, Berks County) using both court records and interviews with tenant participants, program administrators, and participating judges to understand better how these eviction diversion programs work.

We found that the implementation of these programs were associated with reduced judgments against the tenant, more cases being withdrawn or settled by agreement with the landlord, and fewer eviction orders against the tenant. We also found that tenant legal representation and case continuances (which, often in agreement with landlords, grants more time before judgment) were much more likely under eviction diversion programs. Tenant representation and case continuances were also associated with fewer judgments that could lead to eviction, especially so for cases in courts participating in eviction diversion programs.

In our conversations with tenants who participated in the eviction diversion programs, we heard uniformly positive accounts of their experience in the program. Tenants reported that the programs helped them stay housed, in some cases allowing them to go back to work or to find new housing without the risk of homelessness or displacement. One tenant told us: “It’s helped tremendously. We have been able to stay here in the apartment home where we came... We are not homeless and can stay in our home.”

Both programs we examined served communities especially at risk of eviction, and employed multipronged strategies to prevent eviction. Though the programs differed in where they worked, how they developed, and how they were staffed, they both included key elements that allowed them to address the eviction risk holistically: outreach to tenants and landlords to enable communication and information sharing, legal assistance to help tenants navigate an otherwise stressful and confusing process, rental assistance to address any underlying rental arrears, and the coordination of these elements of the program, as well as with other services outside of the context of the eviction proceeding.

We found, both through qualitative and quantitative analyses, that the communication between parties and coordination of resources underlie the success of these eviction diversion programs. The connection of available resources to where they were needed, and the communication between parties that made the deployment of these resources effective, was crucial and enabled each component of the program to be more effective than they could have been individually. For example, we found that while tenant

representation was helpful for tenants in any court, represented tenants in courts participating in the eviction diversion program benefited above and beyond represented tenants in other courts. For these reasons, our findings also suggest that making this coordination more timely and seamless would boost effectiveness of eviction diversion programs further.

In this report, we first lay out why the eviction crisis is important for communities to address, then introduce the communities served by the eviction diversion programs we studied. Then, we describe the components of the eviction diversion programs, along with the impacts of the programs on case outcomes and participant experiences.

We hope that our findings are helpful to local communities considering starting or expanding eviction diversion programs. These findings shed light on how well-coordinated operated diversion programs can achieve meaningful results for tenants and expand access to justice, all while making landlords whole and upholding the fairness of the courts.

## Why: The Need for Solutions to the Eviction Crisis

Evictions jeopardize the ability of renters—especially low-income renters and renters of color—to find and hold employment, take care of family, and plan for the future.<sup>1</sup> Evictions are also events that destabilize larger communities, exacerbating community harms like COVID-19 transmission and increased health risks for the next generation.<sup>23</sup> Evictions are not ideal outcomes for landlords, either, entailing court costs and income loss due to tenant turnover.

Despite the great human and social costs that evictions impose, they are also far too common. In 2019, more than 100,000 eviction cases were filed in Pennsylvania. In nearly 300 ZIP codes across the Commonwealth, more than one in twenty renters received an eviction filing.<sup>4</sup> The number of eviction cases being filed has also increased in more recent months. Since the CDC Eviction Moratorium was invalidated in August 2021, eviction filings have risen steadily and filings now exceed pre-pandemic levels statewide and in 37 of Pennsylvania's 67 counties.<sup>5</sup>

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<sup>1</sup> For more, please see the resources gathered by Eviction Lab here: <https://evictionlab.org/why-eviction-matters/>

<sup>2</sup> Leifheit et al. Expiring Eviction Moratoriums and COVID-19 Incidence and Mortality. *Am J Epidemiol.* 2021 Dec 1;190(12):2503-2510.

<sup>3</sup> Schwartz et al. Health Selection Into Eviction: Adverse Birth Outcomes and Children's Risk of Eviction Through Age 5 Years. *Am J Epidemiol.* 2021 Jul 1;190(7):1260-1269.

<sup>4</sup> For more, please see the Housing Alliance's interactive report on 2021 eviction data: <https://housingalliancepa.org/eviction-data-report/>

<sup>5</sup> As of August 2022. For more, see the LSC eviction tracker: <https://www.lsctracker.org/pennsylvania/state-wide>

Fig. 1. Monthly eviction filings in PA, as tracked by the [Legal Services Corporation Eviction Tracker](#)



During the pandemic, communities answered the call to action to prevent a massive eviction crisis and implemented programs across Pennsylvania and the nation to divert eviction cases away from the traditional court process and towards alternatives that are both less adversarial and more beneficial for all parties. An important part of these efforts has been the creation of eviction diversion programs, which aim to prevent eviction through a combination of methods intended to supplement or provide an alternative to normal court proceedings. Diversion programs can include outreach to tenants and landlords (especially before the court hearing), tenant legal assistance, rental assistance, other housing stability or social services, and alternative dispute resolution mechanisms such as mediation. By offering these services and alternatives, eviction diversion programs have the potential to transform what is generally a process that offers no assistance to tenants and little relief for landlords to a holistic problem-solving approach that substantively addresses the reasons why the eviction case was filed by rebuilding communication, helping tenants navigate the process, and coordinating resources such as rental assistance.

These efforts could be crucial solutions to prevent costly and harmful outcomes for tenants, landlords, and communities. In this report, we use detailed case-level eviction filings data to examine not only case outcomes but also important aspects of how cases were heard, including tenant representation and case continuances. Our qualitative findings from participant and administrator interviews provide insight into how participants (both tenants and judges) understood and experienced the process, as well as situating the case data we present into fuller context.

We examine two eviction diversion programs in Pennsylvania which have been operating since September of 2020. We evaluate the effects of the programs on eviction case outcomes, and describe the aspects of these programs that enable the programs' success. One program, Eviction Prevention Court, operates in Chester County, covering two

judicial districts which serve the Downingtown and Coatesville areas. The other program operates in Reading in Berks County, covering a single judicial district in the northeastern part of the city. We focus on these programs not only to highlight the eviction prevention efforts which sprang up during and in response to the pandemic, but also because the two programs, while sharing important similarities, also operate in very different contexts: one in socially vulnerable small-town communities in relatively wealthy suburban Chester County, and another in an urban setting in Reading, one of the most racially and ethnically diverse cities in PA.<sup>6</sup>

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### How did we gather information?

We used several different sources of information in order to understand how the eviction diversion programs worked, how successful they were, and how participants experienced the process. We obtained eviction case data from the state courts, which allowed us to look at case outcomes, legal representation, and case continuances (temporary stays in the eviction process). We contextualized these data by holding conversations with a variety of stakeholders: we gathered information about the history and workings of the programs by talking to program administrators, we spoke with tenants who had participated in the programs to get their perspective on what worked and what could be improved, and we talked with judges in whose courtrooms the programs worked to understand better how they and the court system interacted with the programs.

For our quantitative analyses of case data, we compared cases filed in courts that participate in the eviction diversion programs we studied (2 Magisterial District Courts in Chester County, and 1 Magisterial District Court in Reading) with all other courts not participating in eviction diversion (14 courts in Chester County and 3 courts in Reading, respectively). We examine cases filed in 2019, 2021, and the first five months of 2022. (We do not include 2020 data because very few cases were filed between March and September 2020 due to the closure of the courts in PA and because the eviction diversion programs started partway through the year). In 2021, 26% of cases filed in Chester County (439 cases) and 15% of cases filed in Reading (242 cases) were filed in the eviction diversion participating courts we studied.

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<sup>6</sup> The Housing Alliance has previously published case study briefs of both of these eviction diversion programs. The briefs can be found at: <https://housingalliancepa.org/resources/partnering-with-the-courts-eviction-prevention-court-in-chester-county/> and <https://housingalliancepa.org/resources/partnering-with-the-courts-eviction-prevention-in-the-city-of-reading-berks-county/>

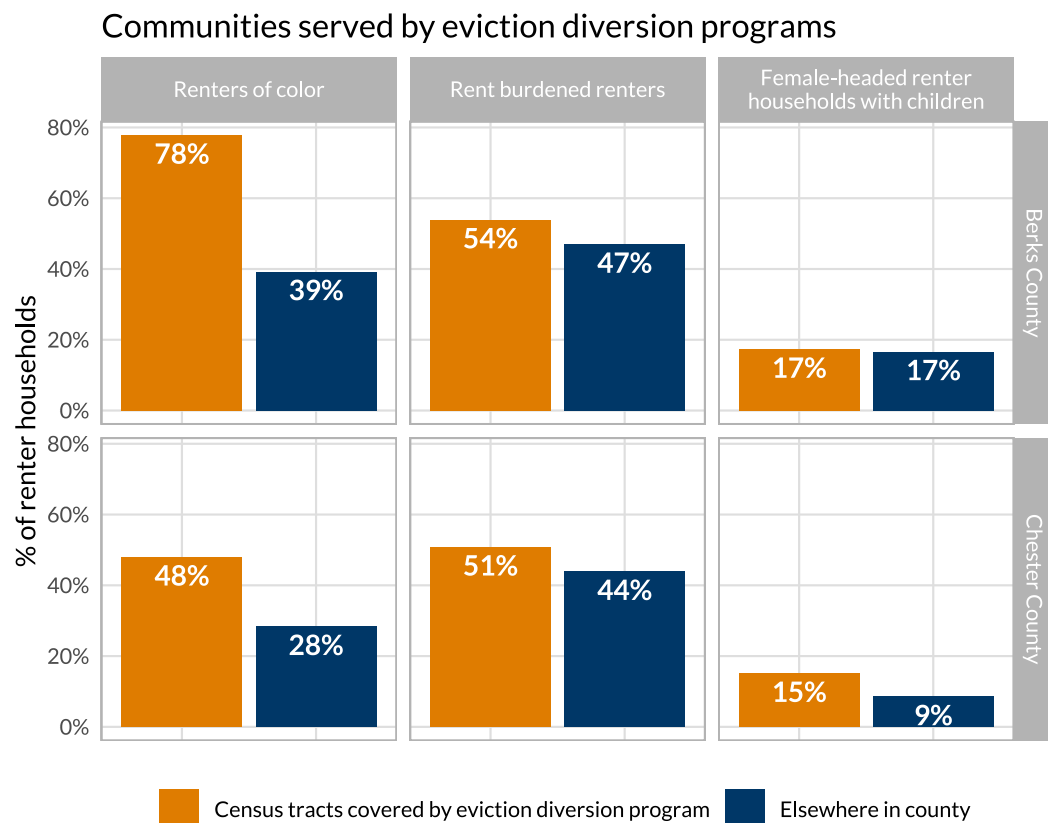


## Who and Where: Community Context

Black and Latino renters, especially women, face a disproportionately high risk of eviction.<sup>7</sup> In our previous analysis of eviction data in PA, we also found that eviction risk is not equal for all renters: renters in ZIP codes with a higher percentage of renters of color, a higher percentage of rent-burdened renters, or a higher percentage of female renters with children were all more likely to experience eviction filings.<sup>8</sup>

In the context of these disparities, we found that the eviction diversion programs we examined served particularly vulnerable communities in PA. In both Chester County and Berks County, renter households in census tracts in areas served by the eviction diversion program were more racially and ethnically diverse, more likely to experience rent burden, and (for one county) more likely to be headed by women with children, compared to other areas in the county.

Fig. 2. Selected demographics of renters living in areas served by eviction diversion programs studied in this report



Source: American Community Survey, 2020 5-year

<sup>7</sup> For more, see Eviction Lab's analysis: <https://evictionlab.org/demographics-of-eviction/>

<sup>8</sup> For more details, please see the Housing Alliance's interactive report on 2021 eviction data: <https://housingalliancepa.org/eviction-data-report/>

For example, renter households in areas where Eviction Prevention Court operates in Chester County were 48% people of color, compared to 28% elsewhere in the county. In Berks County, renters living in the area covered by the eviction diversion program were 78% people of color, compared to 40% elsewhere in the county. Fig. 2 presents these data graphically.

We also examined the broader vulnerability of the communities being served by the eviction diversion programs through the Emergency Rental Assistance Priority Index developed by the Urban Institute.<sup>9</sup> The Index summarizes a wide range of factors that could contribute to the relative vulnerability of different communities, such as share of people living in poverty, severely overcrowded households, unemployment, adults without health insurance, and low-income jobs lost to COVID-19. The Index then ranks each census tract by the combination of these factors compared to all other tracts in the state. In the tracts served by the Eviction Prevention Court program, all but one tract was above the 50th percentile on the priority index, with two tracts above the 90th percentile. In the tracts served by the Reading program, no tract was lower than the 67th percentile, with two tracts at the 99th percentile and another at the 97th percentile.

We saw a similar equity impact in the aggregated demographic data on program participants we obtained from the eviction diversion program administrators. In the Reading program, 75% of participants who received rental assistance through the eviction diversion program were Latino (48 households) or Black (17 households). Of the 87 total households, 31 households included children, and 25 of these households were also headed by single parents (20 of them by women). Overall, 63% of the assisted tenants were women.<sup>10</sup>

As of August 2022, Eviction Prevention Court in Chester County had served 255 households, consisting of 427 adults and 290 children. Nearly three-quarters of the households included school-age children, 77% were households of color, and 19% were households with a disability. Thirty-seven percent of the assisted households were female-led single parent households.

Taken as a whole, these demographic and socioeconomic data indicate that the **eviction diversion programs examined here are serving communities that are likely to be at severe risk of the negative consequences of eviction, including job loss, poor health, and homelessness.**

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<sup>9</sup> For more detail, please see: <https://www.urban.org/features/where-prioritize-emergency-rental-assistance-keep-renters-their-homes>

<sup>10</sup> A larger number of households received other forms of assistance through the program, but the detailed demographic data here only apply to those participants who received rental assistance funds from the City of Reading.

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## A portrait of tenant participants

An important aspect of our research was to understand better who were participating in, and potentially benefiting from, the eviction diversion programs we studied. We held in-depth structured conversations with nine tenant participants of the two eviction diversion programs about how they came to participate and how they experienced participating in the program. The majority of the participants we talked to were women of color. All but one participant had been residing in their home for more than a year and a half.

Participants reported a number of difficulties that led to housing instability. About half reported having a disability or a chronic physical health challenge. For those who were able to work, the pandemic was the main reason for seeing a decrease in income. For those who were not part of the workforce prior to the pandemic, the housing instability was either caused by a change in who was living in the home affecting household income or the end of pandemic-related financial assistance such as expanded unemployment payments. Many who worked prior to the pandemic were self-employed or had irregular shift work in restaurants or as home healthcare workers.

All participants we interviewed were able to remain in the same home after their participation, except for one participant who moved to a different apartment within the same housing complex. All participants were satisfied with their experiences and expressed appreciation for the assistance from the eviction diversion programs. Of the five participants who were working pre-pandemic, three have returned to work since their participation and have increased their income. Two of the participants told us they were in the process of searching for, or moving to, a new home, and three reported either a recent change in ownership for their rental or their current landlord's intent to sell, and/or significant increases in their rent.

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## How: Components and Outcomes of Eviction Diversion

The eviction diversion programs we studied provided assistance through multiple interlocking components: outreach to tenants and landlords, legal assistance, rental assistance, and coordination of services. Here, we describe how each component is implemented by the eviction diversion programs, accompanied by our findings from participant interviews and case data.

## Outreach to tenants and landlords

Once an eviction case is filed by a landlord, eviction diversion programs make contact with tenants, gather information about the case, and often negotiate with landlords before the date of the court hearing.

In Chester County, the Eviction Prevention Program receives a list of newly filed cases weekly. Program staff then reach out to tenants, sometimes by knocking on their doors, in order to let tenants know of the available assistance and complete intake and paperwork in advance of the court hearing as much as possible. Lawyers working with the program also use this time to reach agreements with landlords, often to continue the case (that is, delay the court hearing) in anticipation of rental assistance payments. Tenants' cases are thus sometimes resolved through the involvement of the program staff before their case ever reaches a court hearing, which relieves tenants from the stress of appearing in court.

In Reading, every tenant and landlord involved in eviction actions in the court participating in the diversion program receives a special green-colored notice along with the Notice of Hearing sent from the court. This form informs the tenant that they could be evicted and that assistance is available, including contact information for a lawyer. In this way, tenants receive clear information about the stakes of the proceedings as well as concrete actions they can take to prevent the eviction, such as contacting the attorney before the hearing, bringing leases and other documents to the hearing, and arriving at court 30 minutes ahead of the hearing to receive legal assistance. Importantly, the form is provided in both English and Spanish, since many community members' primary language is Spanish. The program's attorney will also often contact the landlord prior to the hearing to gather more information about the case and explore whether an agreement in the case can be reached. **The effect of the notice has been especially striking on the rate of tenants who come to their court hearings:** the attorney working with the Reading program reported that while a majority of tenants did not come to court before the inception of the program, few tenants miss their hearings now, and are able to have their arguments heard in court.

## Legal Assistance

A key component of the eviction diversion programs is the availability of legal assistance, which was provided to all tenants assisted by the programs. In both programs we studied, free legal assistance is available to tenants at the day of the hearing and attorneys will often negotiate with landlords and landlord attorneys at the hearing and out of court. The program attorneys have the critical role of not only presenting the tenants' legal arguments in court, but also in preparing settlements as well as communicating with landlords. These dual roles were highlighted by judges participating in the programs as important for the programs' work. **Judges also told us that legal assistance also facilitates the administration of their own courtrooms by addressing communication issues before the hearing and decreasing the number of evictions to process.** Tenant participants

noted as well the importance of the attorney in helping them be heard effectively in the courtroom and explaining complex legal information. One tenant participant told us: “If I would have had to go just in there and talk to [the judge] I don’t know what I would have done.” Another participant reported that “attorneys in the courtroom make a big difference... You don’t know the legal jargon they use in the courtroom, you don’t know your rights.”

### Rental Assistance

Rental assistance is another important component of eviction diversion, and most tenants who participated in the eviction diversion programs studied here received rental assistance. Most eviction cases with a judgment for the landlord involves rental arrears,<sup>11</sup> and rental assistance coordinated through the program enables the success of the settlements and agreements reached between the landlord and tenant.

Both of the programs we studied were very closely linked to sources of rental assistance. In Chester County, Friends Association, the community organization that administers Eviction Prevention Court, also is one of the administrators of the County’s Emergency Rental Assistance Program (ERAP). In Reading, the tenants participating in the program had access to both the City of Reading’s CARES Act-funded rental assistance, as well as (for some periods) Berks County’s ERAP. The CARES Act funding was especially important because it was directly administered by the same City of Reading staff who served as the coordinator for the eviction diversion program, and because the County’s ERAP did not accept new applications for most of the period following October of 2021. **The direct connection between the eviction diversion program and sources of rental assistance allows closer information sharing between the program and the courts, as well as facilitating the application process and payments.**

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<sup>11</sup> 85% of cases with a judgment for the landlord included rent in arrears in 2019, statewide: <https://housingalliancepa.org/eviction-data-report/>

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## Lessons learned from rental assistance

Rental assistance was identified as an invaluable resource for eviction diversion, and stakeholders we interviewed about their experience with the program identified several lessons learned and opportunities for improvement in future iterations of rental assistance. First, documentation requirements should be streamlined. We heard that meeting documentation requirements, especially with regards to proving pandemic impact, was becoming more and more challenging, potentially limiting who could receive rental assistance. Second, several tenants indicated that navigating rental assistance and getting answers to questions about their applications was a challenge; one participant reported that “the back and forth [to complete the rental assistance application] adds a level of anxiety to the situation”. Rental assistance programs should prioritize timely communication with applicants. Third, we heard from some of the judges participating in the program that the timing of the rental assistance, as well as uncertainty around the timing, could be a barrier, and a concern for landlords who were otherwise satisfied with the program; increasing the speed and certainty of assistance would help address any rental arrears underlying the eviction case more effectively.

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## Coordination of Services

One component of eviction diversion programs that is relatively easy to overlook but is nevertheless crucial is the coordination of resources and services, and the communication between the stakeholders that underlies that coordination. Both of the eviction diversion programs examined in this report includes a staff member who fulfills the ‘court coordinator’ role, who gathers intake information from program participants, interfaces with rental assistance resources, coordinates with the judge and court personnel, and acts as a point person for program-related outreach and communication.

One judge we spoke to emphasized the importance of having such a point person, sometimes quite literally a person who she could point out for a landlord or tenant. The coordinator serves as a conduit of information for both tenants, landlords, and the court, and helps address communication breakdowns between landlord and tenant that often precedes an eviction action.

Another important role of the coordinator is to serve as a connection to other resources that are not immediately available at court. Often, tenants have other needs that cannot be addressed solely through legal and rental assistance, and the eviction diversion

program can also act to connect tenants to services such as disability services, services for veterans, or housing search services for tenants who wish to move.

Finally, the tenant participants of eviction diversion programs we spoke to expressed appreciation for the compassion and empathy they experienced working with the coordinator; one participant told us, “The [court coordinator] was right there for me and let me know everything is going on... [the program] made it as easy as possible when it came to the process of eviction and court,” and another participant shared that “I’m so grateful that somebody actually heard me.” These tenant experiences further highlight the importance of this role in enabling trust and good communication, which enables the broader success of the eviction diversion program as a whole.

### Case Outcomes

The components of eviction diversion outlined above, working in concert, have had a measurable impact on the outcomes of eviction cases in courts that participated in diversion programs. Figs. 3 - 5 below examine how common particular case outcomes were in Eviction Prevention Program participating courts in Chester County, compared to courts elsewhere in the county not participating in the program. Outcomes include judgments for plaintiff (the judge ruling for the landlord after a hearing), judgments for defendant (the judge ruling for the tenant after a hearing), withdrawals (the landlord voluntarily withdrawing the case), and settlements (the case being ended by agreement between the landlord and tenant).

These figures present a before-and-after picture. We break down case outcomes year-by-year, both for the year preceding the diversion program and for the years following the start of the program.<sup>12</sup> This allows a comparison to be made between cases in eviction diversion-participating courts versus non-participating courts across years: if the eviction diversion program had an impact on case outcomes, we should see differences emerge between participating and non-participating courts in 2021 and 2022 (after the program started), compared to any baseline difference in 2019 (before the program started).<sup>13</sup>

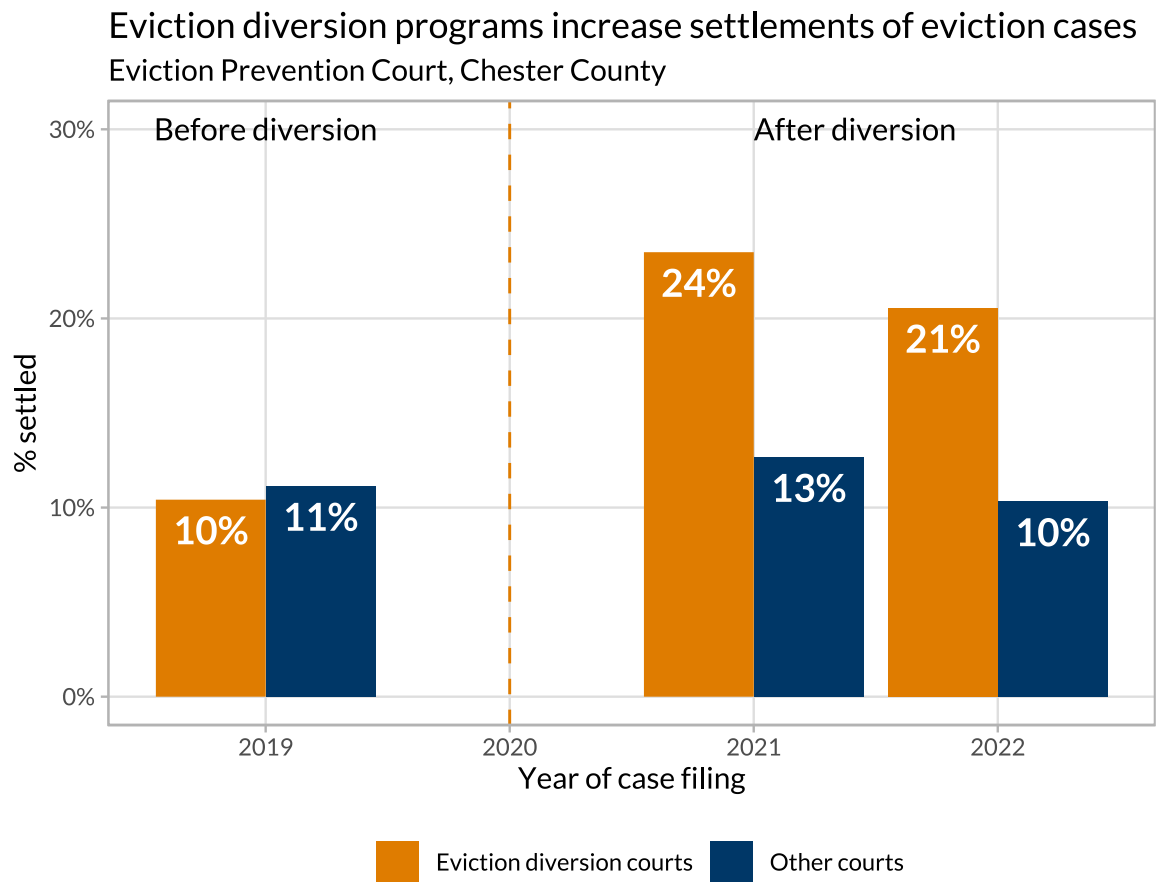
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<sup>12</sup> We do not include 2020 data because very few cases were filed between March and September of that year due to the closure of the courts in PA and because the eviction diversion programs started partway through the year. Our 2022 data cover case actions recorded through the end of May 2022.

<sup>13</sup> The CDC eviction moratorium was in effect in PA between September 2020 and August 2021. However, the moratorium did not preclude the filing of evictions generally and to the best of our knowledge no specific local eviction protections were available in the jurisdictions relevant to this report other than the diversion programs themselves.

We first examine how likely cases were likely to be settled between landlord and tenant before and after the eviction diversion program started. As Fig. 3 shows, settlements were a small minority of case outcomes for all courts in Chester County in 2021. After Eviction Prevention Court was implemented, however, **settlements more than doubled in diversion-participating courts** but changed little in other Chester County courts.

Fig. 3 Likelihood of eviction cases in Chester County to be settled



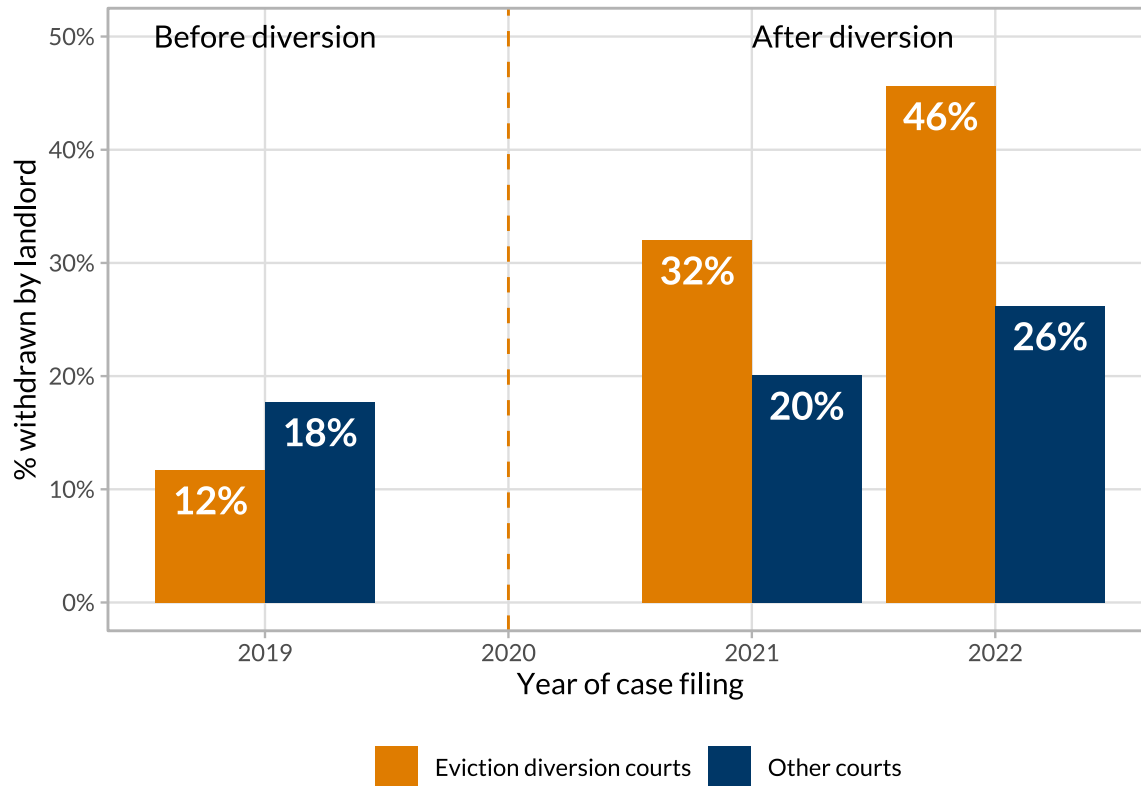
Housing Alliance tabulation of data from Administrative Office of PA Courts  
Denominator for percentage does not include cases without a disposition



Similarly, cases were much more likely to be withdrawn by landlords after Eviction Prevention Court started. Fig 4 shows that after the diversion program was implemented, **withdrawals made up a third to nearly half of all cases with a disposition in diversion-participating courts** but not in other courts in Chester County.

Fig. 4 Likelihood of eviction cases in Chester County to be withdrawn by the landlord

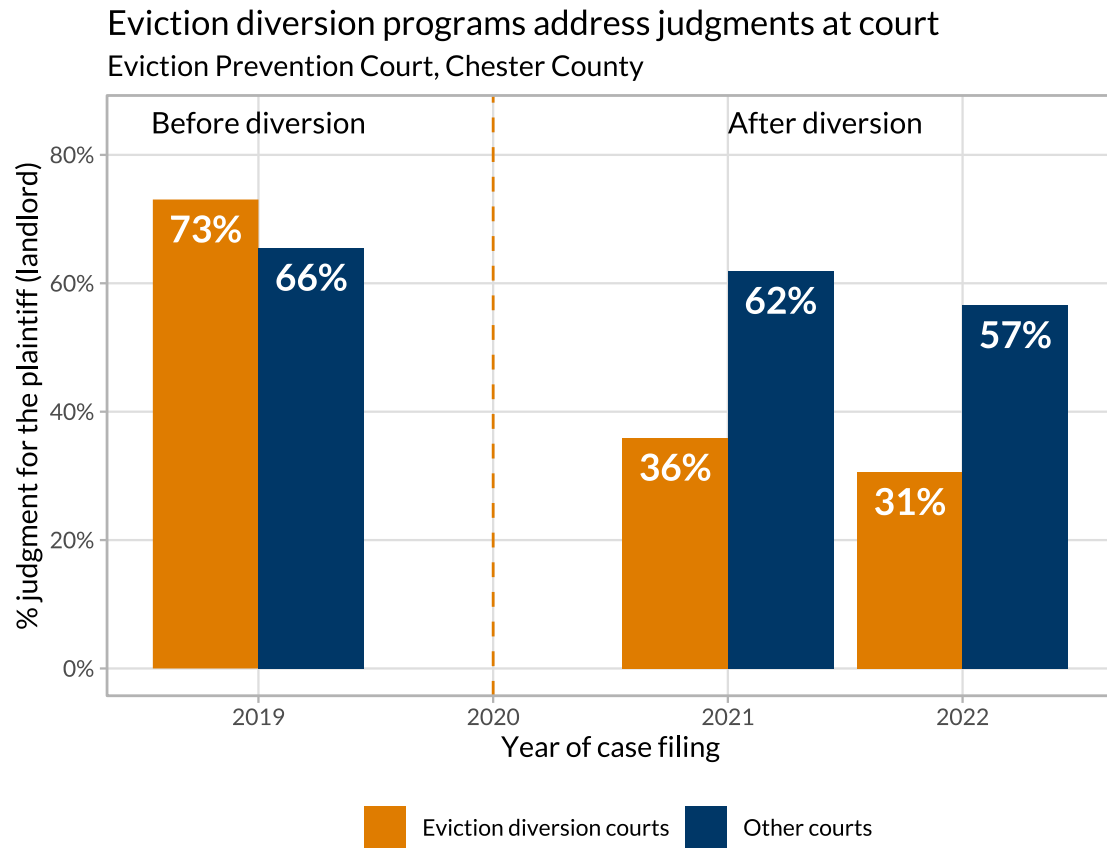
### Eviction diversion programs lead to more eviction cases withdrawn Eviction Prevention Court, Chester County



Housing Alliance tabulation of data from Administrative Office of PA Courts  
Denominator for percentage does not include cases without a disposition

Because so many more cases were being settled or withdrawn, **judgments for the plaintiff (in which a judge rules in favor of the landlord after a hearing) dropped dramatically in eviction diversion-participating courts.** Fig. 5 shows that in 2019, before the diversion program started, eviction cases in Chester County were very likely to be found for the landlord, regardless of jurisdiction. In contrast, cases heard in diversion-participating courts after the program started were much less likely to be found for the landlord, unlike other courts in Chester County in which landlords still prevailed the majority of the time.

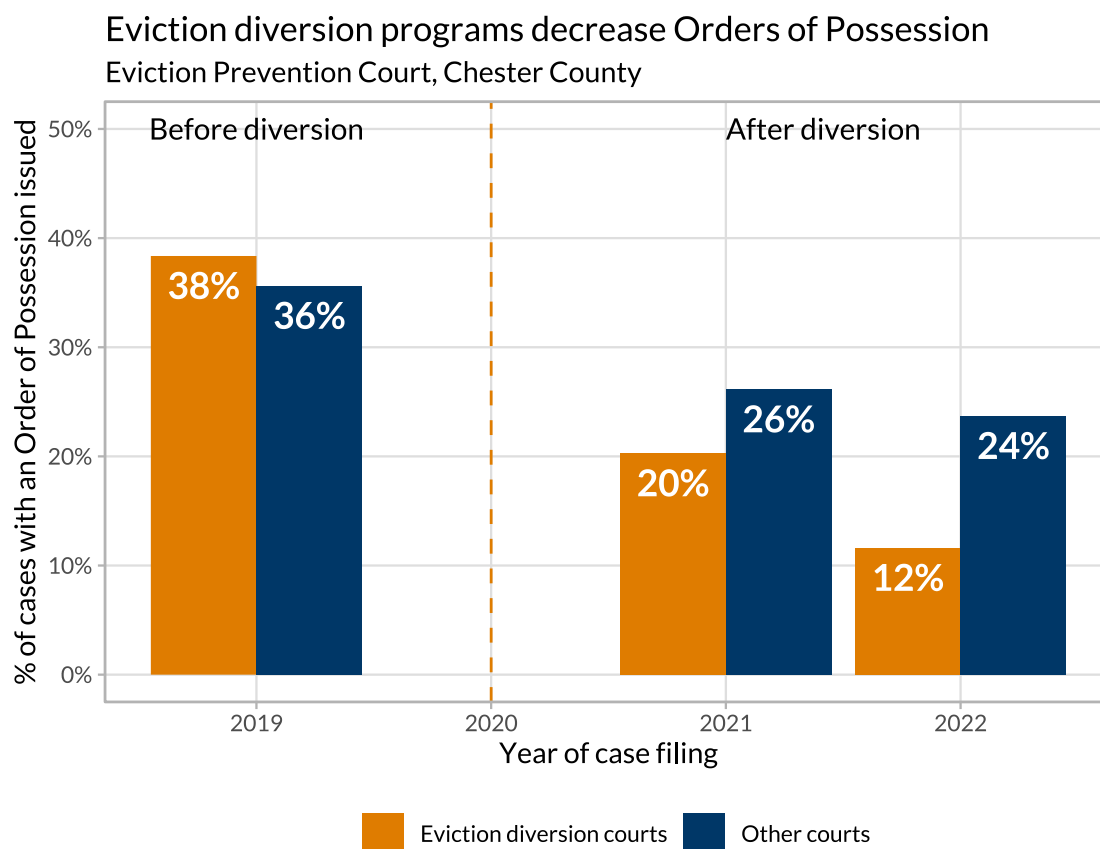
Fig. 5 Likelihood of eviction cases in Chester County to have a judgment for the plaintiff



Housing Alliance tabulation of data from Administrative Office of PA Courts  
Denominator for percentage does not include cases without a disposition

**The difference in case outcomes also extends further downstream in the eviction process.** If a landlord has a judgment in favor (i.e. a judgment for plaintiff), the landlord is entitled to ask for, and receive, an Order of Possession. In Pennsylvania, a legal eviction cannot take place without an Order of Possession, which authorizes a legal officer to physically evict the tenant.<sup>14</sup> Therefore, Orders of Possession measure whether a tenant is subject to an actual eviction, and is the best indicator we have available for the final outcome of the eviction process, though it is not a perfect proxy for displacement.<sup>15</sup> As Fig. 6 shows, Orders of Possession became less likely to be issued in diversion-participating courts after the program started, and this decrease outpaced any decline seen in other courts in Chester County.

Fig. 6 Percentage of cases with an Order of Possession issued in Chester County (please note that 2022 cases may not have all Orders of Possession recorded yet)



Housing Alliance tabulation of data from Administrative Office of PA Courts  
Order of Possession data from recent months in 2022 may not be complete

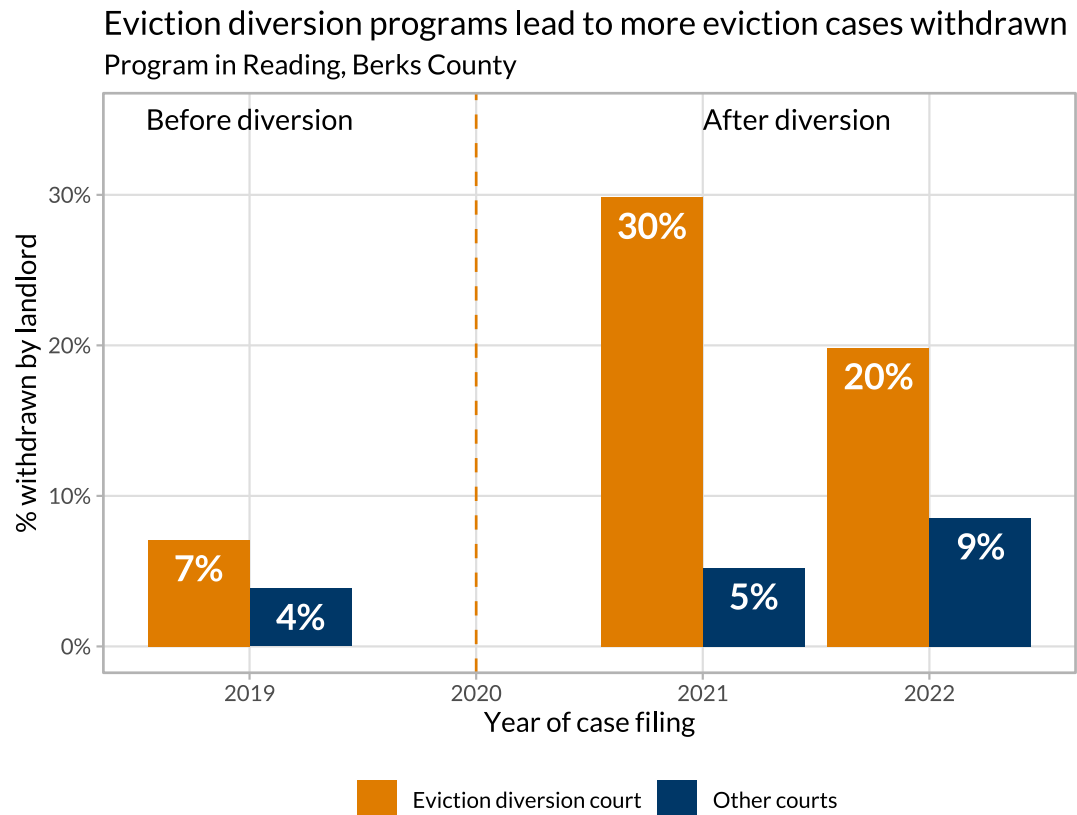
<sup>14</sup> The procedure in Philadelphia uses slightly different terms because of Philadelphia’s unique court system.

<sup>15</sup> For example, a tenant could pay the money judgment up to the moment of eviction to be able to stay in their home (also called pay-and-stay); in other cases, tenants could be pressured to move out without a formal eviction taking place.

We also observed similar effects on case outcomes for the Reading program. In the following plots, we perform similar comparisons with data from Reading, Berks County, comparing cases heard in the diversion participating court with all other courts within Reading.<sup>16</sup>

In Reading, we saw that cases were **three to four times more likely to be withdrawn by the landlord** after the diversion program started, as Fig 7 shows.

Fig. 7 Likelihood of cases in Reading to be withdrawn by the landlord

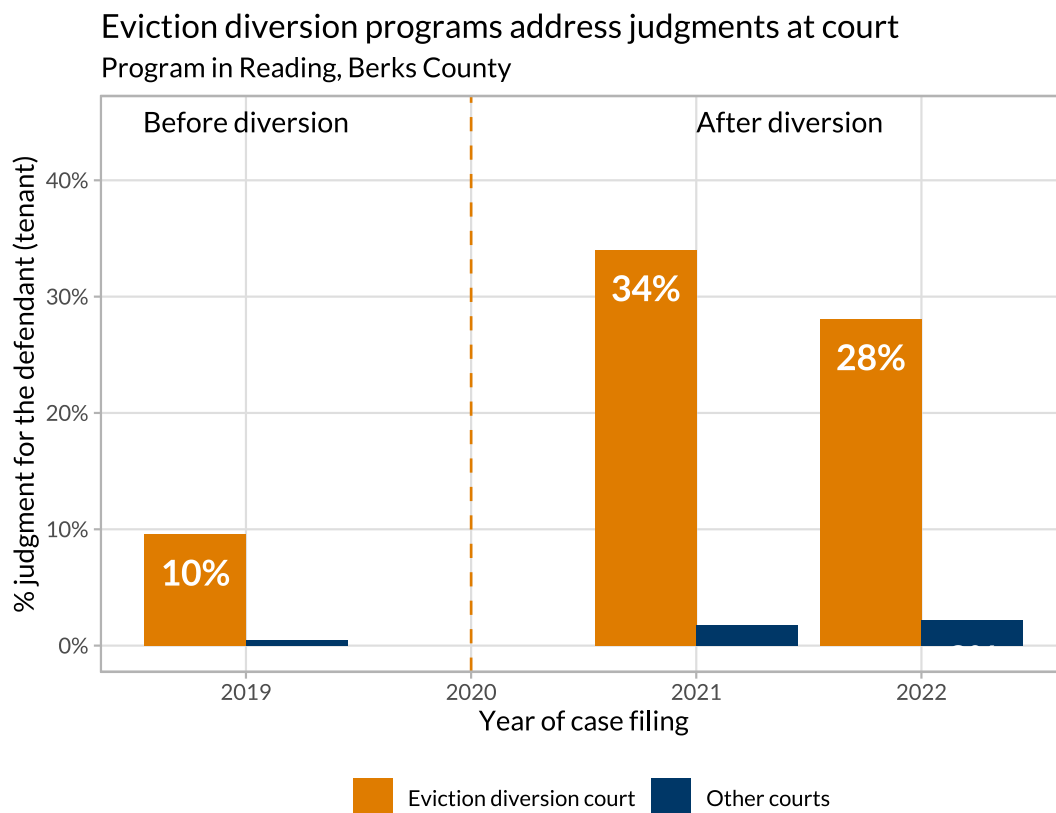


Housing Alliance tabulation of data from Administrative Office of PA Courts  
Denominator for percentage does not include cases without a disposition

<sup>16</sup> We discovered that another court in the City of Reading had recently joined a separate eviction diversion program. We excluded cases from that court in all comparisons in this report, since that program did not begin until October of 2021 and was not yet fully staffed.

Judgments for the defendant (in which a judge rules in favor of the tenant after a hearing) also became much more likely, **increasing about threefold in the court participating in the diversion program** (but not other courts in Reading).

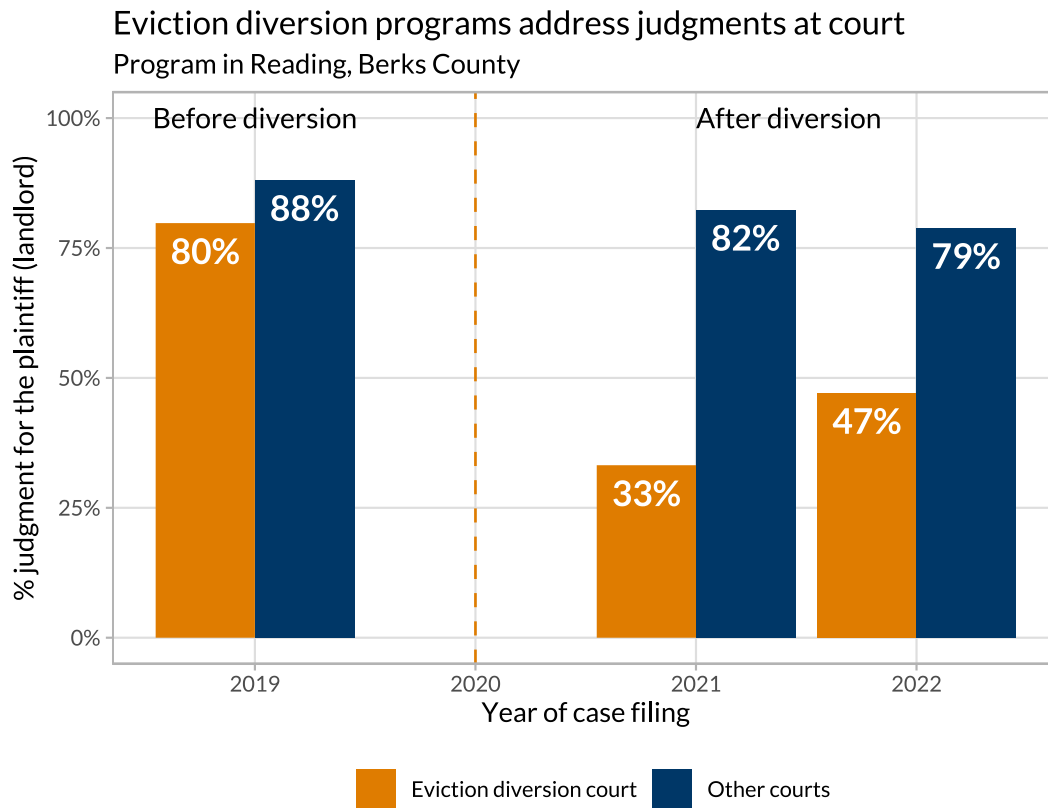
Fig.8 Likelihood of cases in Reading to be judgments for the defendant



Housing Alliance tabulation of data from Administrative Office of PA Courts  
Denominator for percentage does not include cases without a disposition

Correspondingly, as shown in Fig. 9, we saw a **marked decrease in cases with judgments for the landlord after the program started**, specific to cases filed in the diversion participating court. In the diversion-participating court, cases that would have been formerly found for the landlord are now much more likely to be withdrawn voluntarily by the landlord, or for the tenant to prevail in judgment.

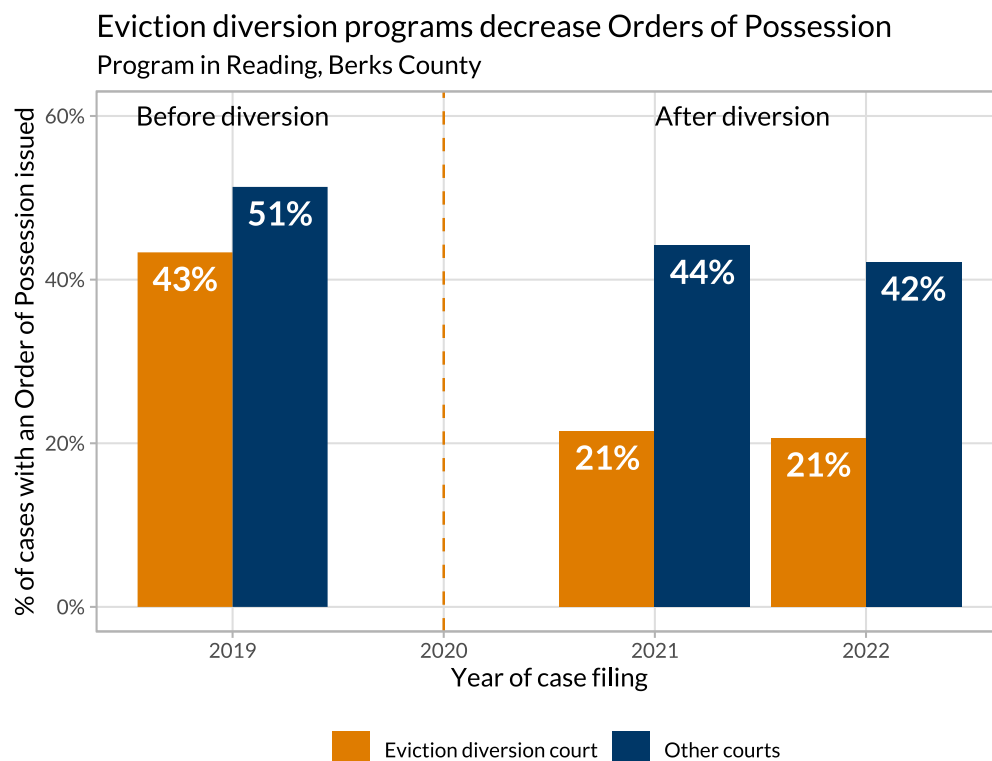
Fig. 9 Likelihood of cases in Reading to be judgments for the plaintiff



Housing Alliance tabulation of data from Administrative Office of PA Courts  
Denominator for percentage does not include cases without a disposition

Finally, we also observe an effect on Orders of Possession: **Orders of Possession, which authorize a legal eviction, are much less likely in the participating court in Reading compared to other courts in the same city.**

Fig. 10 Percentage of cases with an Order of Possession issued in Reading (please note that 2022 cases may not have all Orders of Possession recorded yet)



Housing Alliance tabulation of data from Administrative Office of PA Courts  
Order of Possession data from recent months in 2022 may not be complete

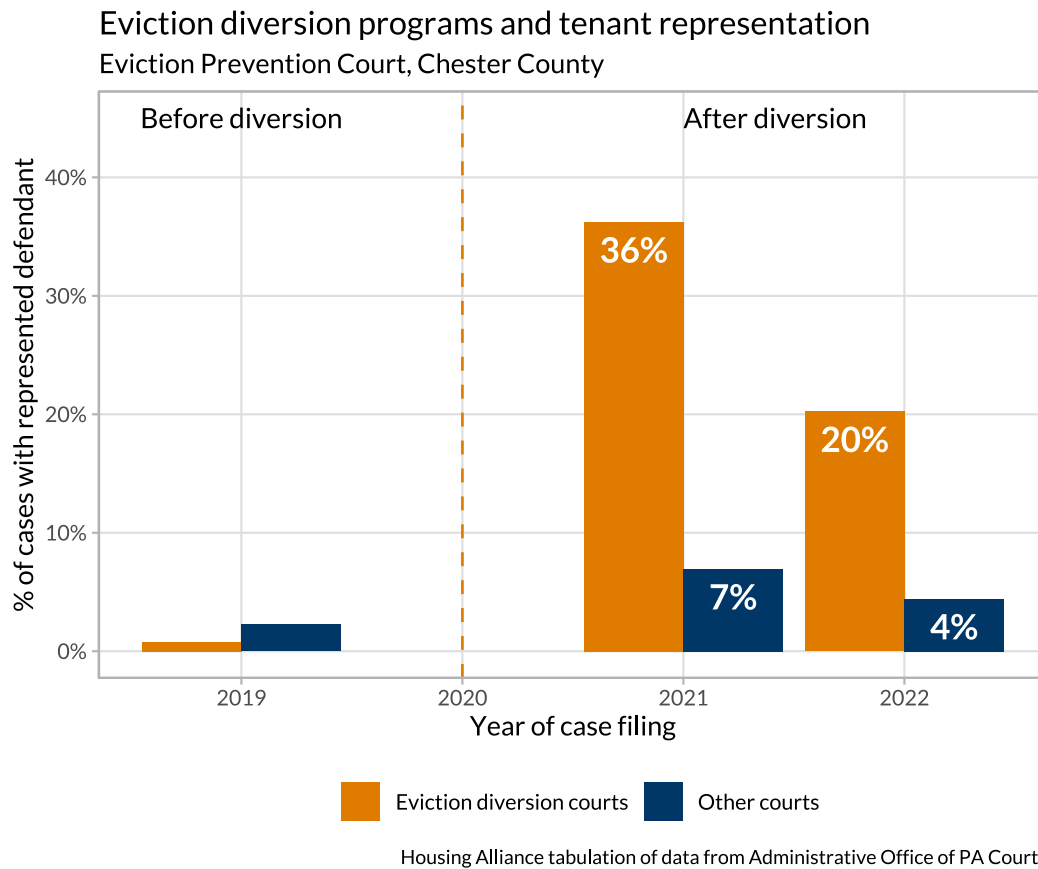
### Win-win solutions for both landlords and tenants

While eviction diversion programs help renters avoid eviction and stay housed, the benefits of diversion programs are not limited to tenants. This is shown concretely through our data on cases outcomes; for both programs, cases were several times more likely to be voluntarily withdrawn by the landlord after the programs started. The chance of cases being resolved by a settlement also doubled after the implementation of the Chester County program. The diversion programs effectively coordinate rental assistance and other services, thereby addressing rental arrears and potentially other issues that led to the eviction filing in the first place, ensuring both housing stability for the tenants and financial health for landlords. All three of the judges whose courtrooms participated in diversion programs told us that the program works not only for the tenant, but for the landlord as well.

## Tenant Legal Representation

We also examined more closely the effect of tenant legal representation on case outcomes, for cases in both diversion participating and non-participating courts. First, we found that **tenants in diversion-participating courts in Chester County were much more likely to be represented by an attorney.**<sup>17</sup>

Fig.11 Percentage of cases with tenant legal representation in Chester County

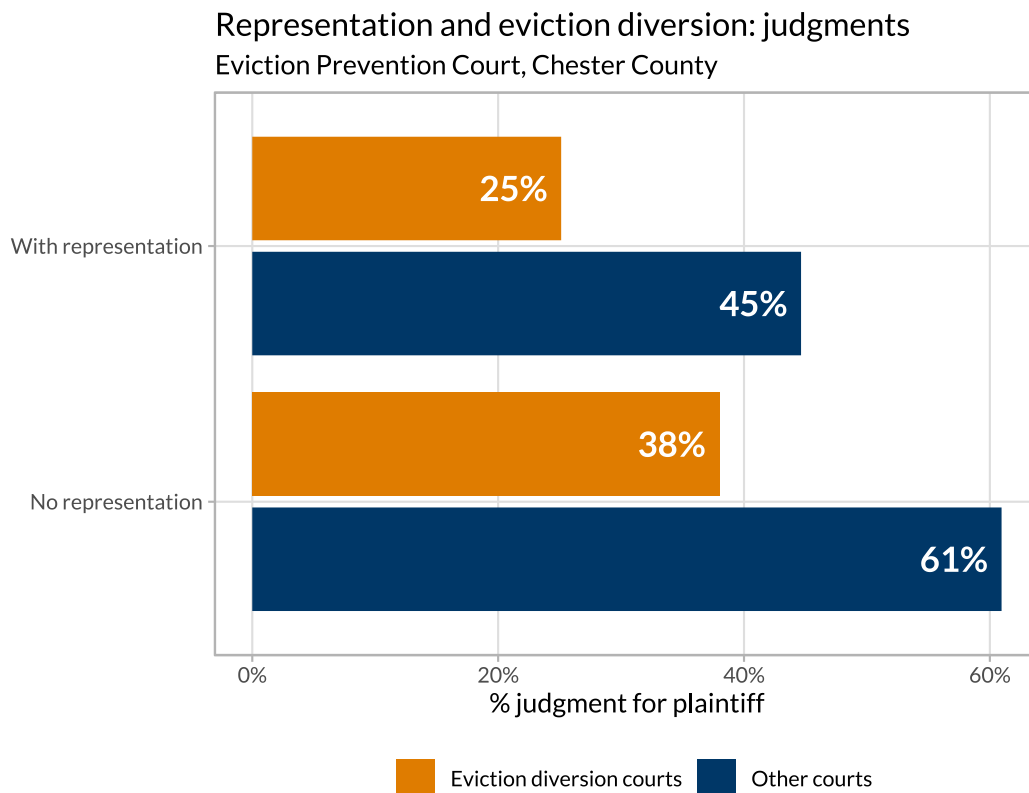


What effects did representation have for tenants? Below, we show whether the tenant being represented by an attorney predicts the likelihood of a judgment for the landlord in Chester County courts.

<sup>17</sup> In Reading, we learned from the program attorney that while he provides legal advice to tenants and presents arguments for the judge, he does not generally enter himself as counsel representing the tenant in court documents. Because of this, we were not able to conduct a similar analysis for the Reading program. (But see further below, on the effects of case continuances.)



Fig. 12 Likelihood of a judgment for the plaintiff in cases where tenants are legally represented vs. not represented. Data include cases filed in 2021 and 2022.

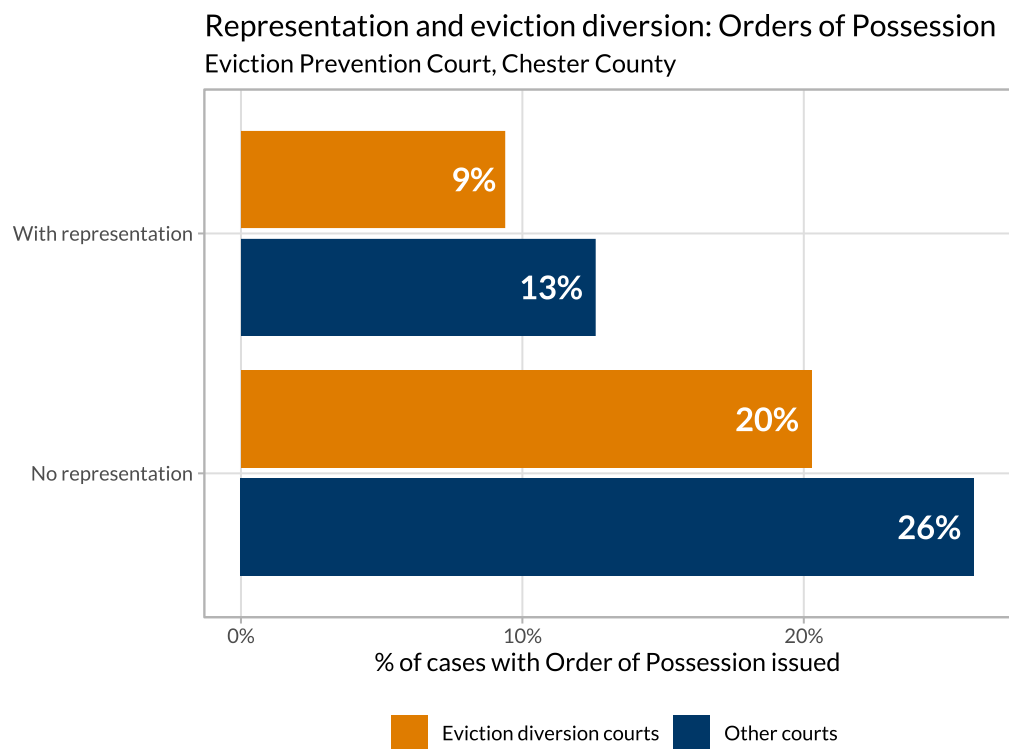


Housing Alliance tabulation of data from Administrative Office of PA Courts  
Denominator for percentage does not include cases without a disposition

In Fig. 12, which shows all cases filed in 2021 and 2022, we see that cases where a tenant is legally represented are also less likely to have a judgment for the landlord, for all courts within the county. That is, tenant representation is generally associated with more favorable outcomes for the tenant. Crucially, however, we see that this effect is accompanied by an effect of the eviction diversion program as well: **represented tenants in diversion-participating courts are less likely to have judgments against them compared to represented tenants in non-participating courts.**

We found that cases with tenant representation are also less likely to have an Order of Possession: cases where a tenant is represented are about half as likely to result in an Order of Possession compared to cases where the tenant is unrepresented.

Fig. 13 Likelihood of an Order of Possession in cases where tenants are legally represented vs. not represented. Data include cases filed in 2021 and 2022.



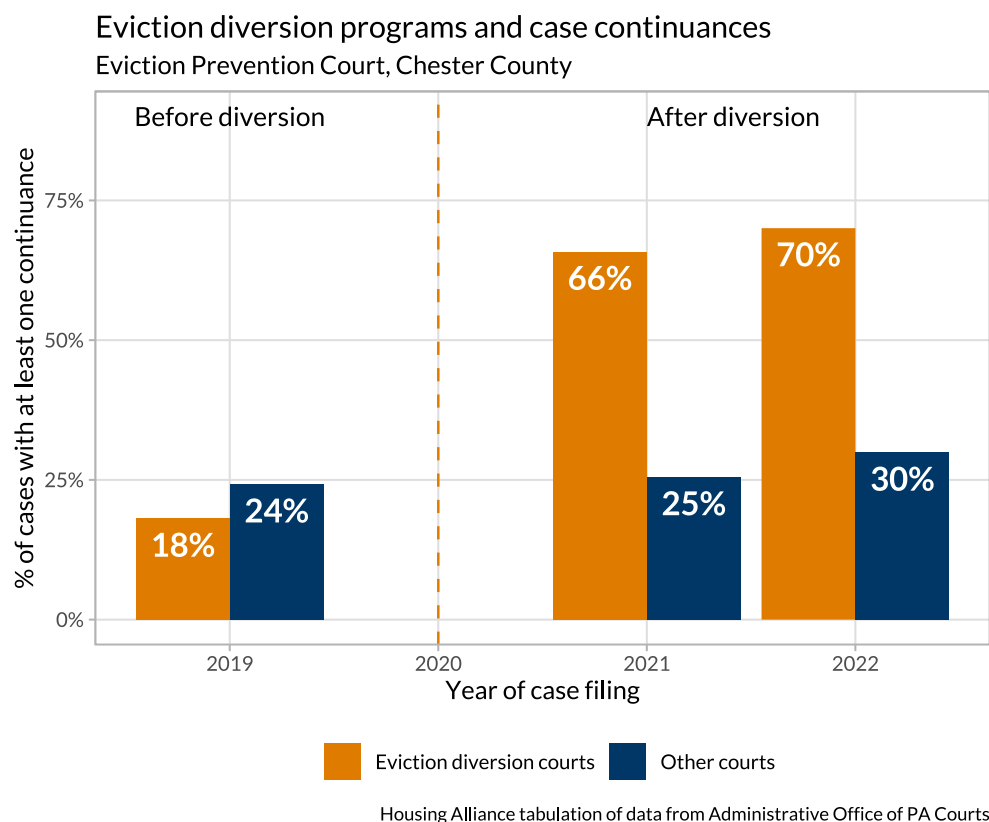
Housing Alliance tabulation of data from Administrative Office of PA Courts  
Data from most recent months may not have full order of possession status

## Case Continuances

Time is an important factor in eviction proceedings. In some cases, program attorneys need more time to gather facts about the case before the hearing. But the timing of court proceedings is especially crucial when rental assistance is involved, because time is required for rental assistance applications to be processed and for payments to be approved. **Under regular circumstances, about two weeks pass between the filing of an eviction case and the hearing where the judge decides the case, often not enough time for rental assistance applications to be processed.<sup>18</sup> In order to address this need, eviction diversion program attorneys often ask for, and receive, a case continuance from the judge, which puts the hearing of the case on hold for a period of time and delays final action on the case.**

Fig. 14 shows how common case continuances are in courts in Chester County. **Continuances more than tripled in eviction diversion courts after the onset of the diversion program, but not in other courts in the county.**

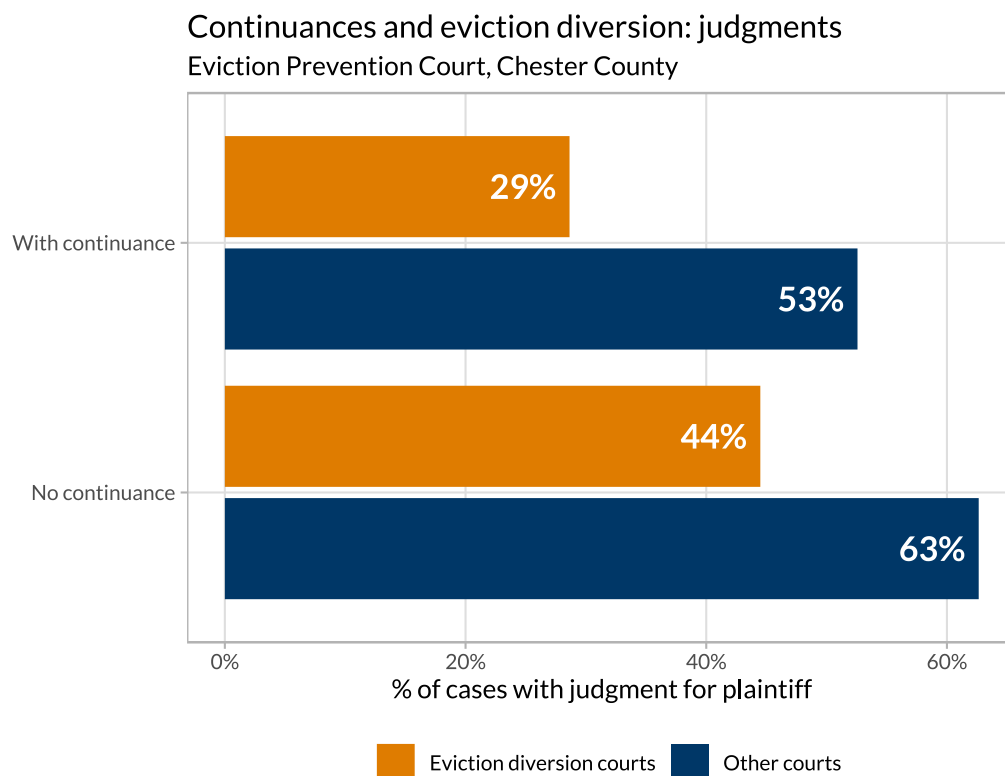
Fig. 14 Percentage of cases in Chester County with at least one continuance.



<sup>18</sup> State law requires a hearing date to be set for a day no more than 15 days after the case has been filed. For more on the timeline of PA eviction actions, please see [https://www.alleghenycountyanalytics.us/wp-content/uploads/2020/11/20-ACDHS-19-EvictionSupport\\_v4.pdf](https://www.alleghenycountyanalytics.us/wp-content/uploads/2020/11/20-ACDHS-19-EvictionSupport_v4.pdf)

Furthermore, **the presence of a case continuance can affect the outcome of the case that is reached when the hearing does occur.** In Chester County, as Fig. 15 shows, continuances are associated with a lower likelihood of judgments for the plaintiff.

Fig. 15 The effect of case continuances on eviction case outcomes in Chester County. Data include cases filed in 2021 and 2022.

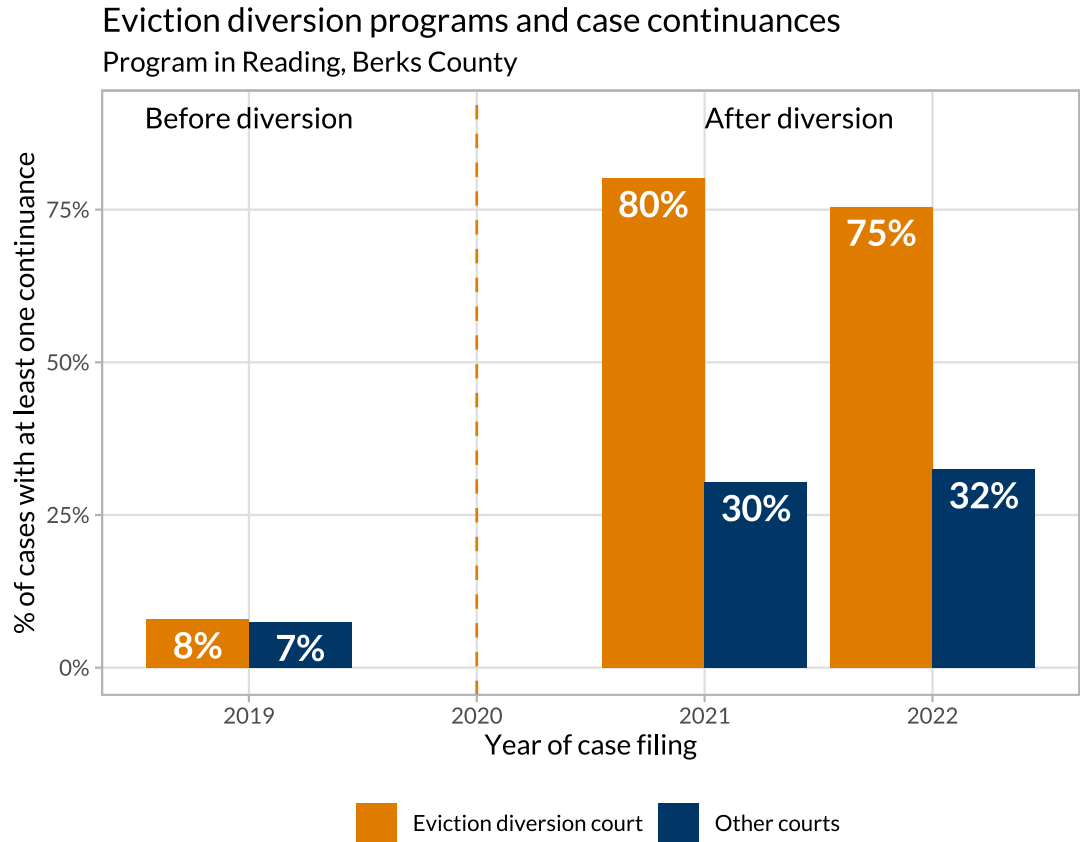


Housing Alliance tabulation of data from Administrative Office of PA Courts  
Denominator for percentage does not include cases without a disposition

As we saw previously with tenant representation, there is also an underlying effect of the eviction diversion program: **cases with a continuance are more likely to result in a favorable outcome for the tenant in all courts, but continuances are even more effective in eviction diversion-participating courts.**

A similar pattern can be seen for the Reading program as well. In Reading, case continuances increased by a much greater amount in the court participating in the diversion program compared to other courts, with 75% or more cases having at least one continuance in 2021 and 2022.

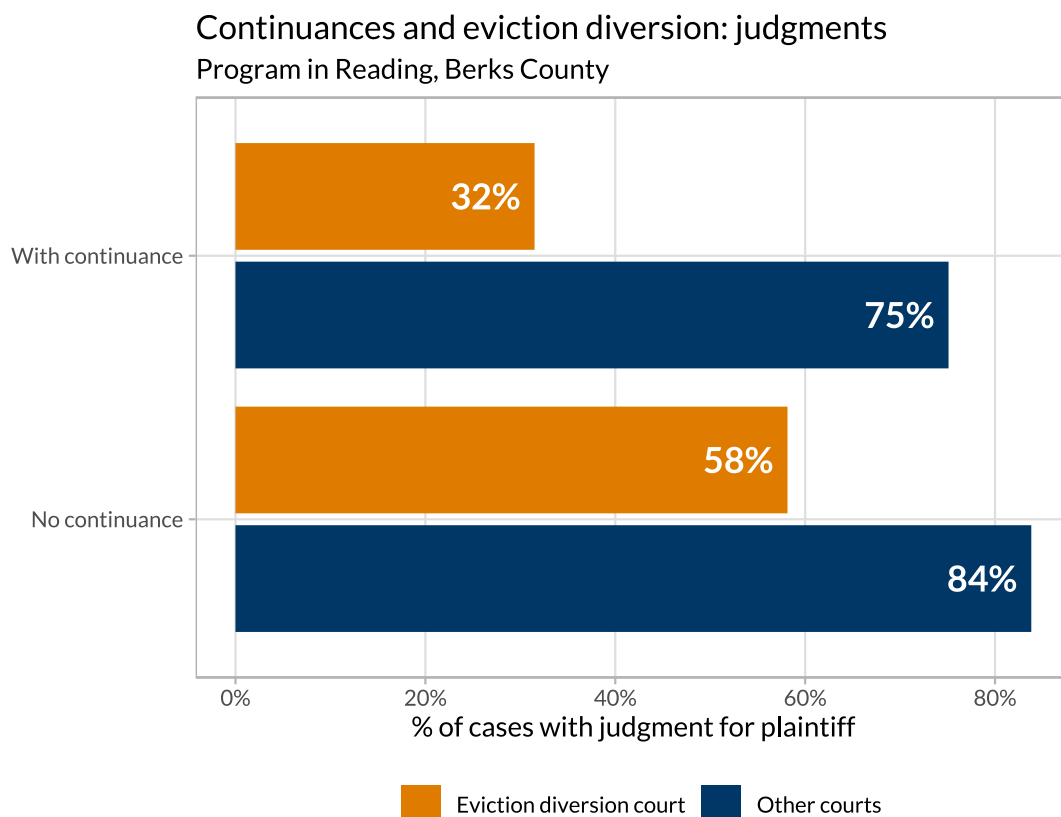
Fig. 16 Percentage of cases in Reading with at least one continuance.



Housing Alliance tabulation of data from Administrative Office of PA Courts

The effect of continuances on case outcome is quite marked in the Reading program, as Fig. 17 shows. **Cases with a continuance in the diversion-participating court are less than half as likely to have a judgment against the tenant than even cases with a continuance in non-participating courts.**

Fig. 17 The effect of case continuances on eviction case outcomes in Reading. Data include cases filed in 2021 and 2022.



Housing Alliance tabulation of data from Administrative Office of PA Courts  
Denominator for percentage does not include cases without a disposition

## In Conclusion

Our findings in this report highlight the fact that effective action can be taken to tackle the eviction crisis. Eviction diversion programs in two communities marshalled available resources to coordinate legal assistance, rental assistance, and outreach to tenants and landlords to prevent eviction filings from turning into completed evictions. Looking forward, eviction diversion in these communities will be expanding. In Chester County, Eviction Prevention Court will serve additional courts, supported by grants from the United Way of Chester County, the Pennsylvania Housing Affordability and Rehabilitation Enhancement Fund (PHARE), and Chester County's State and Local Fiscal Recovery Fund. In Reading, an eviction diversion program in another district nearby is in the process of being implemented by MidPenn Legal Services, a civil legal service provider working in the community.<sup>19</sup>

Importantly, though the two programs had different organizational structures (an established nonprofit vs. a new partnership) and worked in different kinds of communities (suburban vs. urban), both programs were associated with tangible outcomes which have already made a real difference to the lives of hundreds of residents. In Chester County, if trends in EPC-participating courts followed other courts in Chester County, tenants in 143 more cases would have had a judgment against them if not for the program in 2021 alone. In Reading, tenants in 98 more cases filed in 2021 would have had a judgment against them if not for the eviction diversion program, assuming trends in the diversion-participating court followed other Reading courts. These avoided evictions also prevented consequential potential harms to the community, including homelessness, job loss, medical costs, and school instability. Communities are not helpless in front of the eviction crisis: action is possible to prevent evictions and ensure stable homes for all.

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<sup>19</sup> For clarity, cases filed in this court were not included in the analyses involving cases in Reading or Berks County.