

Foundation for a Healthy High Point

2023 HIGH POINT EVICTION DATA PROJECT

UNCG - CENTER FOR HOUSING AND COMMUNITY STUDIES

Final Report – April 17, 2024



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Acknowledgements.

The High Point Eviction Data Project was guided by the efforts of selfless individuals and caring community partners representing a broad cross-section of High Point life. This group of engaged residents and experts lent their support, insights, and perspectives to the project over a fourteen-month period.

We especially acknowledge the support of the following organizations and their representatives:

Foundation for a Healthy High Point, our sponsor,

Office of the Clerk of Court, High Point Courthouse, led by Leslie A. Arthur, Assistant Clerk of Superior Court, and including Dylan Burge and Bobby J. Personius, Deputy Clerks of Superior Court, and many others who assisted us day after day with unfailing friendliness and patience and without whom this project could not have been completed,

The City of High Point,

Partners Ending Homelessness,

The TEAM Project, a partnership of Legal Aid of North Carolina and UNCG's Center for Housing and Community Studies,

United Way of Greater High Point,

and members of the High Point community with lived experience of eviction who spoke to us in confidence and cannot be named here, but to whom we express our deep appreciation and respect.

Finally, we acknowledge the intrepid and tireless work of the researchers of the Center for Housing and Community Studies, led by Troy Moss and Davin Hall and including Xiadani Avila, Jatyra Dumas, Samantha Gaillard, Maggie Hogan, Minhaz Tabasum, and Olivia West.



2023 HIGH POINT EVICTIONS By the numbers



3,261

The number of eviction cases filed in High Point in 2023



18,556

The number of renter households in High Point

17.57%

The eviction filing rate

(the number of cases filed per hundred renter households)



RANKED

5th



highest eviction filing rate in the country among locations tracked by Eviction Lab



1,711

Orders of Possession in favor of the Landlord



9.2%

The eviction rate

(the number of Orders of Possession per hundred renter households)



52%

The displacement rate

(the percentage of cases that result in Orders of Possession)

2,096

Threatened Households

(number of households receiving at least one eviction filing against them)



1,165

Serial Evictions

(repeat eviction cases filed against the same household by the same landlord)



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PART I - INTRODUCTION

This project was developed by the Center for Housing and Community Studies of the University of North Carolina Greensboro in response to a Call for Proposals issued by the Foundation for a Healthy High Point for its Fall 2022 funding cycle. Our objective was to create a local eviction database for the City of High Point for the calendar year 2023.

We collected information about each eviction case filed in the District 18 District Court, High Point Courthouse, including the docket number, filing date, address of the subject property, names of Plaintiff and Defendant, and disposition of the case. In this report we analyze, tabulate, and map the quantitative data, to illustrate important, hitherto unknown or only suspected facts about High Point evictions, such as the neighborhoods suffering the most evictions, the property owners responsible for the most evictions, the most common grounds for eviction including amounts of rent in issue, and many other aspects of eviction.

Alongside the quantitative data acquisition work, we conducted a qualitative data effort as well, consisting of interviews conducted throughout the year. We spoke to tenants experiencing eviction, to learn about the causes and consequences of eviction, and the effectiveness of intervention efforts; landlords who file evictions, about the conditions and circumstances that lead them to evict; city administrators, about how they could use eviction data, their anti-eviction plans and efforts, and their interest in supporting the development of a sustainable eviction data infrastructure; and nonprofit leaders about the needs they see in the communities and the people who come to them in crisis seeking the very limited services they can offer.

We approached this work with the belief that there are too many evictions in High Point. Why count them? We offer four reasons. First, accurate and comprehensive eviction data will improve our understanding of the true scope of eviction in High Point. The data we present here will place in the hands of researchers, housing advocates, lawyers, and policymakers a valuable tool to enable more cogent and targeted housing policy and the development of a comprehensive anti-eviction strategy. With this information, stakeholders can better allocate housing resources to where they are most needed. They can work with tenants most at risk for eviction, and landlords most likely to resort to eviction. They can leverage scarce rental assistance funds to prevent evictions that are

costly to tenants and to the public. They can provide insight into the effectiveness of legal counsel, of interventions such as the TEAM Project, and of rental assistance programs.

Second, this will function as a local demonstration project, to show to High Point stakeholders the importance and value of a comprehensive, standardized local eviction database; and to local governments elsewhere the methods they can use to build their own eviction databases.

Third, this will be a tool of advocacy, to call attention to the eviction crisis in High Point; to mobilize public opinion around anti-eviction housing policies; to attract the interest of state and federal governmental funders; and to build support in High Point and throughout the country for a robust, comprehensive, standardized eviction data collection infrastructure.

Fourth, robust eviction data is a public health measure. Eviction is widely understood to be a significant upstream cause of physical and mental illness. More data can help improve public health and health equity by providing the tools local stakeholders and administrators need to improve housing policy and target anti-eviction resources.

The infographic on page 2 of this Report displays some of our key findings. We expected to see a high level of evictions, based on previous estimates made by other researchers, but the 3,261 eviction cases filed in High Point in 2023 were nonetheless striking. Based on Census estimates of the number of renter households in High Point, that represents an eviction filing rate of 17.57%, or 17.57 eviction filings per hundred renter households. If that rate were placed on the list of locations tracked currently by The Eviction Lab (ten states and 34 cities), High Point would rank the fifth highest in eviction filing rate in the nation.

A second indicator is the eviction rate, measuring the subset of renter households with an eviction filing for which the proceeding results in a formal Order of Possession issued by a Magistrate, authorizing the landlord to remove the tenant from the premises. By this measure, High Point has an eviction rate of 9.2%, or 9.2 Orders of Possession per hundred renter households. This, too, places High Point in the upper ranks of highest evicting locations in the country.

Through these and other metrics shown in the infographic and discussed in detail in the pages to follow, the magnitude of the High Point eviction challenge is illustrated. The programs, policies, and initiatives High Point develops to address these kinds of

challenges will be far more effective to the extent they are based on strong, comprehensive data such as that contained in this report.

Eviction Data.

The Role of CHCS. The Center for Housing and Community Studies (CHCS) is a regional leader in eviction studies and anti-eviction programs and initiatives. We oversee the TEAM Project, in partnership with Legal Aid of North Carolina, offering legal, housing counseling, resource navigation, and mediation services to tenants at risk of eviction, including at a clinic held in the corridor outside the High Point courtrooms where eviction cases are being heard – diverting tenants from the headlong rush toward eviction in which they often find themselves. We run the Tenant Leadership Academy, a training program for residents of low-income apartment communities in High Point, with workshops on tenant rights, code enforcement, community organizing, and many more – arming renters with the kinds of knowledge they can use to avoid the pitfalls that lead to eviction. As the third pillar of a comprehensive anti-eviction strategy for High Point, we have conducted this High Point Eviction Data Project.

North Carolina eCourts. We point out that the North Carolina Courts are in the midst of their transition from paper records to electronic filing and case management, adopting a historic technological initiative known as eCourts. This innovation will, we hope, improve the quality of and public access to court data including eviction case records. It will, if successful, make obsolete some of the struggles we experienced in compiling the data for this report. Guilford County, in which High Point is located, will be included in the “Track 4” group of ten counties to be added to the new system on April 29, 2024. When we embarked upon this project, we did not know it would come so soon, and even now we don’t know what effect the transition will have. But some of the needs identified by eviction data researchers may be fulfilled. This will be an area for further study as the system continues to roll out.



Figure 1 - Eviction Data Coalition Partners

The Eviction Data Movement. The High Point Eviction Data Project is aligned with the goals of a coalition of housing and data experts, court staff, and municipal leaders working over the last several years to develop a minimum set of data standards for eviction court records and to advocate for more complete, accurate, and uniform eviction data nationwide. We are a member of the coalition, led by Yuliya Panfil, Director, and Sabiha Zainulbhai, Deputy Director of Domestic Housing, The Future of Land and Housing Program of New America, and also including the National League of Cities, The Eviction Lab, Pew Charitable Trusts, the Furman Center, and other thought leaders shown in Figure 1. They believe that better data is needed to support a more effective and informed anti-eviction strategy.

The Eviction Data coalition project addresses five aspects of the problem: the information about eviction cases contained in eviction records; the means by which the members of the public can gain access to eviction records; the uniformity of eviction data from one jurisdiction to another; the question of local versus national funding and infrastructure; and the value of complete and accurate eviction data to local governments and housing advocates. Our High Point Eviction Data Project illuminates all five points of inquiry.

Contents. Court records consist of a collection of documents, each performing a legal function and containing specified items of information. The documents and their contents

vary between jurisdictions, but the most common ones are (a) a document notifying the tenant of the landlord’s intent to evict or of the commencement of eviction proceedings, and the manner of delivery of the notice document; (b) the document that officially commences the legal proceedings and sets forth the basic facts of the case; (c) the summons to appear, a document that must be served on the tenant in order for the court to have jurisdiction over the rental property and over the tenant personally, and that is then filed in the court record as proof of service; (d) documentary evidence and transcripts recording the events that take place during the hearing; (e) the order of the court announcing the disposition of the case; and (f) for those cases decided in favor of the landlord, the writ ordering the dispossession of the tenant.

The documents making up the record contain items of information about the parties and about the case. Some examples are shown in Table 1 listing the thirty-eight items analyzed in the Eviction Data coalition’s 2023 Data Standards review.

Case ID	Court type	Plaintiff attorney firm	Withdrawal
Case status	Subsidized property	Plaintiff attorney name	Default judgment
Current case date	Cause of action	Tenant representation	Settlement
Claim amount	Court	Type of tenant representation	Judgment date
State	Judge name	Tenant attorney name	Amount of judgment
Street address 1	Plaintiff name	Defendant attendance	Eviction order
Street address 2	Plaintiff address	Plaintiff attendance	Date of eviction order
County	Date of hearing	Judgment for	Appeal filed
Zip code	Virtual hearing	Dismissal	Date of appeal
Eviction filing date	Plaintiff legal representation		

Table 1 - Data Points Included in Eviction Data Coalition's Data Standards

For the research described in this report, we recorded virtually all of these items, and several important ancillary items, including the legal ground for the landlord’s claim, the type of lease, the amount of rent arrears, and others. As important, we learned through the arduous review of thousands of court records the defects in the design of court forms, the improvisations judges and lawyers resort to, and the omissions and mistakes that are invariably made as lawsuits move through the court under pressure of deadlines and emotional stress.

Access. One of the goals of the eviction data coalition is to make information about eviction cases accessible to those outside the court system, including those with a professional interest in eviction practice or policy, like lawyers, researchers, people who provide services to those caught up in the eviction system, but also including members of

the general public who may have to look up their own case or who may have an interest in evictions in their city. The system we encountered in the Clerk's office of the High Point courthouse had in this respect both good qualities and substantial obstacles. Anyone may navigate through the security barriers and enter the Clerk's office, look up a case on an archaic terminal, fill out a paper slip, hand it to a staff member, and receive for onsite review a paper court record, free of charge (but copies are ten cents a page). This is real, but very limited, access. If not one but ten, or a hundred (let alone 3,261) cases were needed, it would rapidly become untenable. Also untenable would be any effort to aggregate the data to draw conclusions not about one case but about eviction cases in High Point more broadly.

Uniformity. We compared the data we found recorded in North Carolina eviction cases with the data standards that the Eviction Data coalition have been developing. The North Carolina data framework contains most of the elements that the data standards call for. We also found, however, that a data framework that appears on paper to comply with the evolving data standards may fall short in practice if Plaintiffs and Magistrates omit items, if the forms are defective or insufficient to accommodate likely factual situations, and if judges use handwritten notations that are difficult to commit to a standardized record.

This report exemplifies one of the most important effects of uniformity: the need to compare data from one city, one county, one state, to another. The basic topline data points, for example the number of eviction cases filed in a period or the number of orders of possession issued, are likely to be reasonably comparable, even between materially different data systems. These comparisons may be seen in the first two sections of Part II. But at greater levels of granularity the comparability may begin to break down. Ways of tracking legal representation of tenants, for example, if they exist at all, may vary greatly and impair comparability. Claim selection, which we have studied closely in this report, is determined by the particularities of local law and may not be at all comparable between states.

Funding. The Eviction Data coalition and others have called for federal and state funding for the development of uniform nationwide eviction data standards. Funding will provide technical assistance and will allow local governments and court administrations to invest in local data infrastructures and hire additional staff.

Our project has demonstrated three things that will be useful as eviction data stakeholders consider moving toward broad-based federal and state funding. One, that

eviction data collection under present circumstances in North Carolina is extremely labor intensive, on both sides of the Clerk's service desk. A uniform, online data infrastructure would pay for itself by eliminating this kind of manual, artisanal data acquisition work. Two, the creation of even a city-level local eviction database conforming to uniform standards is highly capital intensive. Our funding came from local philanthropic sources; a broad-based federal funding effort linked to uniform standards and database designs would be costly, but would gain much in efficiency. Three, our 2023 compilation is a one-time event, with no plans to continue in 2024 or beyond. A well-funded national eviction database would achieve the level of sustainability that we could not.

Usefulness of Eviction Data. To the extent we were able to explore with local leaders the question of how useful eviction data might be to them, we encountered a syndrome of "we don't know what we don't know." Comprehensive uniform eviction data is not an issue of great currency in High Point among people who struggle to respond day after day to their constituents experiencing a crisis of housing, eviction, and homelessness. Our project is intended as a demonstration – a "proof of concept" that will allow local stakeholders to learn more about the magnitude of the crisis and at the same time to learn about how useful it will be to have these kinds of data available.

We hope that our eviction data will inform local leaders about eviction and the goals of eviction prevention; track the social, economic, geographic and demographic trends in eviction over time; evaluate the impact of eviction intervention policies and initiatives; advocate for tenant protections and eviction intervention resources; and raise awareness across the High Point community about the volume and disproportionate impacts of eviction.

Eviction Proceedings.

In North Carolina, eviction proceedings are heard in Small Claims Court, a part of the District Court. (See North Carolina Court System diagram in Figure 2 at left.) Magistrates

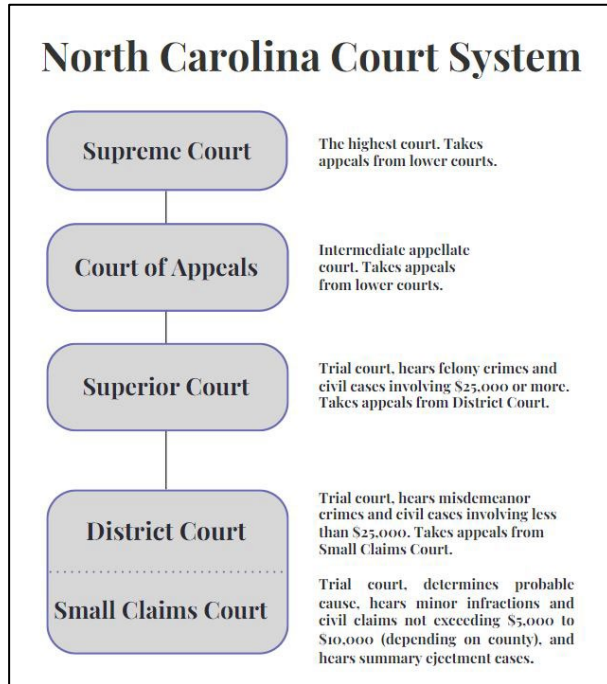


Figure 2 - North Carolina Court System

preside at Small Claims Court, including in eviction proceedings. The Magistrates are constitutional judicial officers, appointed by a senior judge of the Superior Court. They may be, but are not required to be, attorneys.

An eviction proceeding is initiated when the landlord files in the Small Claims Court a Complaint in Summary Ejection (see Appendix A, Item 1). In the complaint, the landlord, referred to as the “Plaintiff,” first sets forth basic facts including their name and address, the name and address of the tenant, referred to here as the “Defendant,” the address of the rental unit, the rate of rent, whether by month or

week, the rent due date, the end date of the lease term, and whether the lease is written or oral. Second, the Plaintiff alleges the facts constituting the legal grounds for eviction.

3. The defendant failed to pay the rent due on the above date and the plaintiff made demand for the rent and waited the 10-day grace period before filing the complaint.

The lease period ended on the above date and the defendant is holding over after the end of the lease period.

The defendant breached the condition of the lease described below for which re-entry is specified.

Criminal activity or other activity has occurred in violation of G.S. 42-63 as specified below.

Figure 3 - Statutory Grounds for Eviction

As shown in the excerpt from the Complaint form above in Figure 3, the Plaintiff must designate one of four possible grounds: that the Defendant failed to pay the rent on the due date and that the Plaintiff made demand for the rent and waited ten days before filing (rent arrears); that the lease period ended and the Defendant is holding over after the end of the lease period (holdover); that the Defendant breached a condition of the lease (breach); or that criminal activity or other statutorily proscribed activity has

occurred (criminal activity). In all four cases, details must be provided in one or another of the text boxes provided. As described in Part II, the selection of one or more of these grounds is influenced by statutory requirements and lease terms and has significant consequences – consequences that are not always understood by landlords and other stakeholders.

Finally, the Plaintiff states the remedy they seek. Immediate possession of the premises – the goal of summary ejectment – is demanded in every case, and in addition, payment of money owed in respect of rent arrears, fees, or damage to the property is usually, but not always, demanded by the Plaintiff.

In addition to filing the Complaint with the Clerk of Court, the Plaintiff must cause it to be served on the Defendant, along with a Summons stating the date, time, and place of the hearing. Service is effected by the Sheriff, who visits the rented premises and delivers it personally to the hands of the tenant or, if the tenant is not then at home, serves by “posting” – taping the papers to the door and sending a copy by regular mail. Proper service of the Summons and Complaint is necessary to confer on the court jurisdiction over the rental property and, depending on the manner of service, over the person of the Defendant. In the section on claims for money owed below, we will return to the subject of personal jurisdiction.

The case is then docketed – placed on the court calendar, given a hearing date, and announced to the public. The hearing date is usually no more than two days to two weeks from the date when papers are served, giving the Defendant little time to prepare. At the hearing, the Plaintiff presents evidence supporting their case, and the Defendant may make a legal defense – in writing or orally – for example, that the eviction is a retaliation against the tenant for seeking repairs, or the eviction is discriminatory, or the landlord failed to give proper notice, or the landlord wrongfully refused to accept rent. The parties may testify, may call witnesses to testify, and may present documentary, photographic, or physical evidence. In most cases, the Magistrate announces their decision immediately in open court, and issues a written order on the prescribed form (shown in Item 4 of Appendix A).

The judgment restates the names and addresses of the litigants, then provides space for two key topics: the Findings, and the Order. Under Findings, the Magistrate states the factual findings on which the order will be based. The first section, to establish jurisdiction, states whether the Defendant was present at the hearing and whether the Defendant was served and by what method. Second, the Magistrate states whether the Plaintiff has

proved the case, or has not proved the case, by the legal standard or “the greater weight of the evidence,” or alternatively, that the Plaintiff requested and was granted judgment on the pleadings – without the necessity of adducing proof at the hearing. Third, the Magistrate sets forth findings as to rent owed, stating either that there is no dispute (and stating the amount), or that there is a dispute as to the amount of rent in arrears. Fourth, a box is provided for the Magistrate to set forth any other findings.

In the next section, Orders, again the Magistrate has a series of numbered choices and an additional text box for an open-ended response. Among the possible orders, Box 1 is judgment for the landlord, awarding possession of the premises. Boxes 2 and 3 are judgments in favor of the tenant, either dismissal with prejudice (because the Plaintiff has failed to prove their case) or dismissal with prejudice (because the Defendant has tendered full payment). Box 4 awards money damages for rent and other items. Under Box 5, the money damage claim is severed at Plaintiff’s request, to be adjudicated separately. Box 6 is a text box for additional orders, and Box 7 awards court costs to one party or the other.

The party against which judgment is rendered has ten days to file an appeal. If no appeal is filed in that time, the judgment becomes final. Then, in cases awarding possession to the landlord, a Writ of Possession issues, which authorizes the landlord to ask the sheriff to execute against the premises – sometimes called a “padlock” – at any time until the ninetieth day.

Methods.

The purpose of the project was to count all eviction cases filed in the High Point courthouse in 2023 – those relating to rental housing units standing within the Guilford County portion of the City of High Point. To do this, we turned to the Office of the Clerk of Superior Court in Guilford County. Guilford is the only one of North Carolina’s one hundred counties to have two courthouses, one in Greensboro and one in High Point. Eviction cases concerning residential rentals located in High Point are heard in the Small Claims Court at the High Point courthouse, and so we went to the Clerk’s Office in High Point to request access to the court records. Our project required that we review in detail the contents of each record, to learn as much as it is possible to learn about a case from the record.

The docket sheet is a weekly public listing of cases calendared for hearing in court. We were placed on a mailing list to receive the docket sheets for small claims court in PDF format via email. From the docket sheet, we created a master docket list by case number.

For each case heard in High Point, a court record is maintained in the Clerk's office. In 2023, these records were maintained in the traditional manner in paper format, with the papers filed in the case included in reverse chronological order, tri-folded, and placed in a paper jacket which is then filed on a shelf. Any member of the public may present a request to view a case record, on the form of request slip provided, at the main desk in the Clerk's office. A staff member retrieves the jacket, and hands it to the requestor with instructions to examine it while remaining in the room within view of the Clerk's staff.

Our initial plan was to send a team of researchers to the Clerk's office on one or two days each week, to request and review case records in the manner described, for each case docketed. To that end, several of our researchers applied for and were granted special identification cards allowing us to enter the courthouse through a card-activated entry point, without going through the security check and x-ray machine, and allowing us to bring laptops, and cellphones which we intended to use to photograph or scan pages of the court records.

The manual photographing or scanning of case records would be an extremely laborious procedure, both at the point of viewing the case record and at the point of transferring individual document photographs or scans into a UNCG document storage location. In anticipation of the disruption that our presence in the Clerk's office, and our requests for thousands of case records over the course of a year, could cause to their regular business conduct, we consulted with the Assistant Clerk of Court in charge of the High Point office. In the course of that consultation, we learned that the Clerk's office routinely digitizes completed case records, creating a combined PDF for each case. They offered to route copies of the case records to us periodically as they were created, via email. This solution eliminated the laborious procedure, allowing us to transfer complete, easy to use PDF files to the UNCG document storage location. Importantly, the receipt by us of each digitized case record was noted in the master docket list.

To build our database of information from the case files, we created a data entry procedure using the Qualtrics Survey platform. The survey consisted of 78 questions corresponding to the items of information contained in the Complaints, Notices of Voluntary Dismissal, Orders, and Judgments. (We elected not to record information from the Summons, Receipts for payment of court fees, or Servicemembers Civil Relief Act

certifications.) The data entry procedures consisted of checking boxes, usually corresponding to checked boxes on the court papers themselves, and blanks for inserting narrative or explanatory responses. A team of undergraduate, graduate, and postgraduate research assistants were recruited to conduct the data entry. This was a labor-intensive part of the project that wasn't eliminated by the availability of digitized court records.

In the early phases of data collection, as the data entry proceeded, the design of the survey was adjusted and refined, as questions arose about the meaning of a data point or the best way to record a data point, with a view to how the data would be presented and used. At the end of the process, Qualtrics created an Excel spreadsheet forming the basic framework for the database. We then cleaned the data, ensuring that variables were coded properly, standardizing names and addresses, and troubleshooting areas that were hard to read or interpret.

The Excel platform allowed us to conduct counts, pose various queries, and delve deeper to draw out insights. For the most part, we found the database to be sturdy and informative. However, we were hindered in two ways: (1) we found many areas where the Plaintiffs and the Magistrates filled out the forms carelessly, or improvised various remedies for defects in the forms themselves, or used shorthand notations that were difficult for us to understand or to record, or omitted some items altogether; and (2) we discovered some defects in our database design. For example, the boxes and blanks we created for the data from the Judgment forms didn't quite accommodate all the different kinds of final orders the court can issue in an eviction case.

In the second half of the study year, we began to notice that for many cases on our master docket list, we didn't receive a digitized case record in the expected time period. The number ballooned to about seven hundred cases. Even after consultation with the Clerk's office, we could find no explanation, but the simple answer is that those files never reached us. We then reverted to the original plan, described above, to have our researchers go in person to the Clerk's office, request the files one by one, and photograph each relevant page contained in the jackets.

As noted above, the transition of the North Carolina court system will likely render obsolete some of the methods describe in this section. In the future, we will be among the many North Carolina stakeholders learning how the new system will alter the quality of and public access to court data.

As a final note: During the data collection process, inconsistency in the court records, illegible or inconsistent handwritten entries, errors in transferring data from the court records to the Qualtrics platform, and calculation errors, are inevitable. We don't attempt to quantify the error rate, but we believe they are within reasonable parameters and are not sufficient to cast doubt on our findings.

PART II – 2023 HIGH POINT EVICTIONS

Eviction Filing Rate.

We counted 3,261 summary ejectment proceedings filed in the North Carolina Small Claims Court in High Point in 2023 and assigned a “23CVM” file number.

This number of cases represents an eviction filing rate of 17.57%. The “eviction filing rate” is the number of eviction filings per one hundred renter-occupied housing units, or put another way, the ratio of the number of evictions over the number of renter-occupied housing units. (We will use the shorthand term “renter households” hereafter, but keep in mind we are speaking of occupied units, not vacant ones.) The numerator is our eviction filing count, or 3,261, and the denominator is 18,556, the American Community Survey 2022 estimate of renter households in High Point (the most recent estimate).

Figure 4 on the next page compares High Point's eviction filing rate to those of the ten states and 34 cities currently tracked by The Eviction Lab and listed in their “Eviction Filings by Locations” report of March 1, 2024. These are current estimates for the past year – not the older estimates The Eviction Lab uses for locations they don't track currently. Among the locations with the highest eviction filing rates right now, High Point's ranks fifth in the country, just behind Charleston and Memphis and ahead of Indianapolis.

EVICTON FILING RATES IN SELECTED JURISDICTIONS

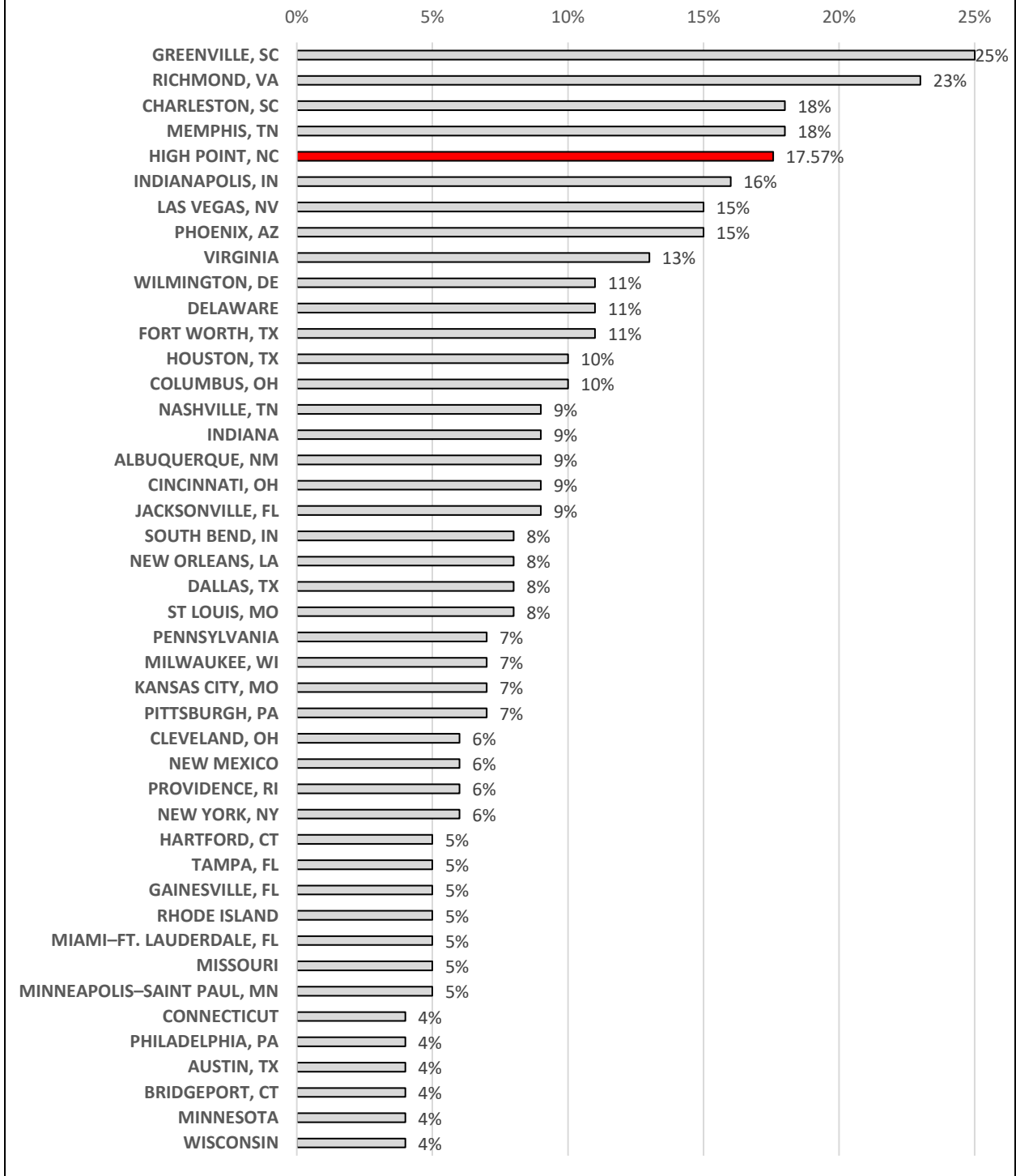


Figure 4 - Eviction Filing Rates for Selected Jurisdictions (Source: The Eviction Lab, CHCS)

For comparison to eviction filing rates within the State of North Carolina, we turn to the 2024 County Profile data published by the North Carolina Housing Coalition. These

profiles draw on the 2018-2022 American Community Survey 5-year estimates for number of renter households and the Civil Issue Filings/Order Results FY 2022-23 published by the North Carolina Judicial Branch for the number of eviction cases by county. Table 2 shows the ten counties with the highest, and the ten counties with the lowest, eviction filing rates, along with the rates for High Point and for North Carolina as a whole. Guilford County is ranked number six in the North Carolina Housing Coalition’s county rankings, with a county-wide eviction filing rate of 18.69%.

Ten Counties with the highest eviction filing rates.				Ten Counties with the lowest eviction filing rates.			
COUNTY	RENTER OCCUPIED HOUSEHOLDS	EVICTION FILING RATE	EVICTION FILING RATE RANK	COUNTY	RENTER OCCUPIED HOUSEHOLDS	EVICTION FILING RATE	EVICTION FILING RATE RANK
Edgecombe	7,372	35.54%	1	Ashe	2,392	2.55%	91
Nash	13,255	28.45%	2	Chowan	2,216	2.53%	92
Vance	6,605	22.12%	3	Avery	1,390	2.16%	93
Wilson	13,081	20.50%	4	Dare	3,568	2.07%	94
Cabarrus	20,767	19.55%	5	Yancey	1,697	2.06%	95
Guilford	86,123	18.69%	6	Polk	2,004	1.80%	96
Forsyth	58,296	17.11%	7	Gates	843	1.66%	97
Robeson	14,628	17.04%	8	Watauga	8,272	1.61%	98
Mecklenburg	197,065	17.00%	9	Hyde	584	1.37%	99
Pitt	35,193	16.61%	10	Madison	4,551	1.01%	100

High Point	18,556	17.57%		NC	1,387,271	11.88%	
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Table 2 - Eviction Filing Rates by County (Source: ACS, NC Housing Coalition, NC Judicial Branch, CHCS)

The rate of 18.69% published for the North Carolina Housing Coalition’s 2024 county profiles accords with The Eviction Lab’s 2018 estimate of 18.48% for Guilford County (The Eviction Lab, 2024), validating the estimates and suggesting a remarkable consistency between the 2024 estimate and The Eviction Lab’s authoritative pre-pandemic estimate. Also notably, our calculated High Point rate is within about one percentage point of these county-wide rate estimates calculated by the North Carolina Housing Coalition and The Eviction Lab. We draw the conclusion that High Point’s eviction filing rate is unacceptably high – one of the highest in the nation, and substantially higher than the 11.88% statewide estimate published for 2024 by the North Carolina Housing Coalition. (An unpublished recent estimate of cases filed in the twelve months ended February 2024 suggests a jump in the Guilford County eviction filing rate to 19.61%, and a jump in the statewide eviction

filing rate from to 13.14%. Meanwhile, the only nationwide estimate we have is the 6.12% rate for 2016 published by The Eviction Lab.)

The high Guilford County eviction filing rate is one of the factors making this study so urgently needed. It will illuminate for those who may not be aware of it the high rates of eviction consistently experienced in Guilford County – and, as we now see, in High Point as well. A related factor pointing to the importance of this study for High Point is that, although we have estimates going back nearly ten years for the county, we don't have much information about eviction filing rates in High Point itself. It is noteworthy that The Eviction Lab does not offer eviction filing rate estimates for High Point.

Of course, the eviction filing rate is a function not only of the number of filings but also of the number of renter households. Even were the number of eviction filings to rise over time, the eviction filing rate would fall if the number of renter households rose faster than the number of evictions. Our study does not have eviction filing numbers for High Point for the years prior to 2023, and hence no longitudinal trend analysis for High Point. We do have estimates for Guilford County and for North Carolina as a whole.



Figure 5 - Net Change in Filing Rate of States (Source: Gromis, et al 2022)

Figure 5, from Gromis, et al (2022), plots each state on the two axes for the percentage change in estimated number of eviction filings over the years 2000 to 2018 and the percentage change in the number of renter households over the same period. North Carolina is seen in the red circle, in the lower right quadrant, represented by a green icon indicating a state with 1,000,000 or more renter households, the largest category.

North Carolina’s location on the plot reveals that the number of renter households grew rapidly – about 57% over the period. In this, North Carolina was in company with other

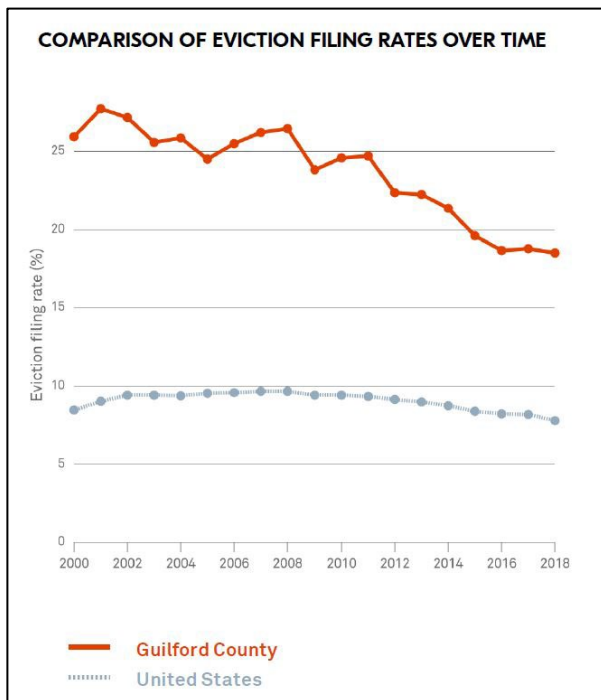


Figure 6 - Guilford County Eviction Filing Rate Trend (Source: Eviction Lab)

fastest-growing states including Florida, Arizona, and Nevada. Thus, the denominator in the eviction filing rate calculation grew much faster than the numerator. In that scenario, we would expect the eviction filing rate to fall. And, again, while we don’t have longitudinal data for High Point, the data for Guilford County as a whole, presented by The Eviction Lab, does indeed reflect a decline in the rate over time, as shown in Figure 6. Gromis, et al (2022) speculate that many of the added renters were older and more affluent, helping to explain why the number of evictions didn’t keep pace with the number of renter households.

Remarkably, the 2018 rate of 18.69% -- which is roughly comparable to our calculated 2023 rate of 17.57% for High Point and which we have said is unacceptably high, actually represents the lowest rate Guilford County has experienced in recent years. From 2000 to around 2007, the rate hovered over 25%.

The reasons why some places have high eviction filing rates are beyond the scope of this report, but we will comment on possible contributing factors. We know that eviction filing rates are much higher in the Southeast than in other parts of the country. The map in Figure 7 shows a marked concentration of higher filing rates in the Southeast region – higher even than in than many northern and west coast urban areas with higher housing costs.

Gromis, et al (2022) provide an extensive study of between-state disparities in eviction filing rates. They found that counties in the Southeast have significantly more filings than counties elsewhere with identical social and demographic characteristics such as number of renter households, household density, share of Black population, median income, and median rent.

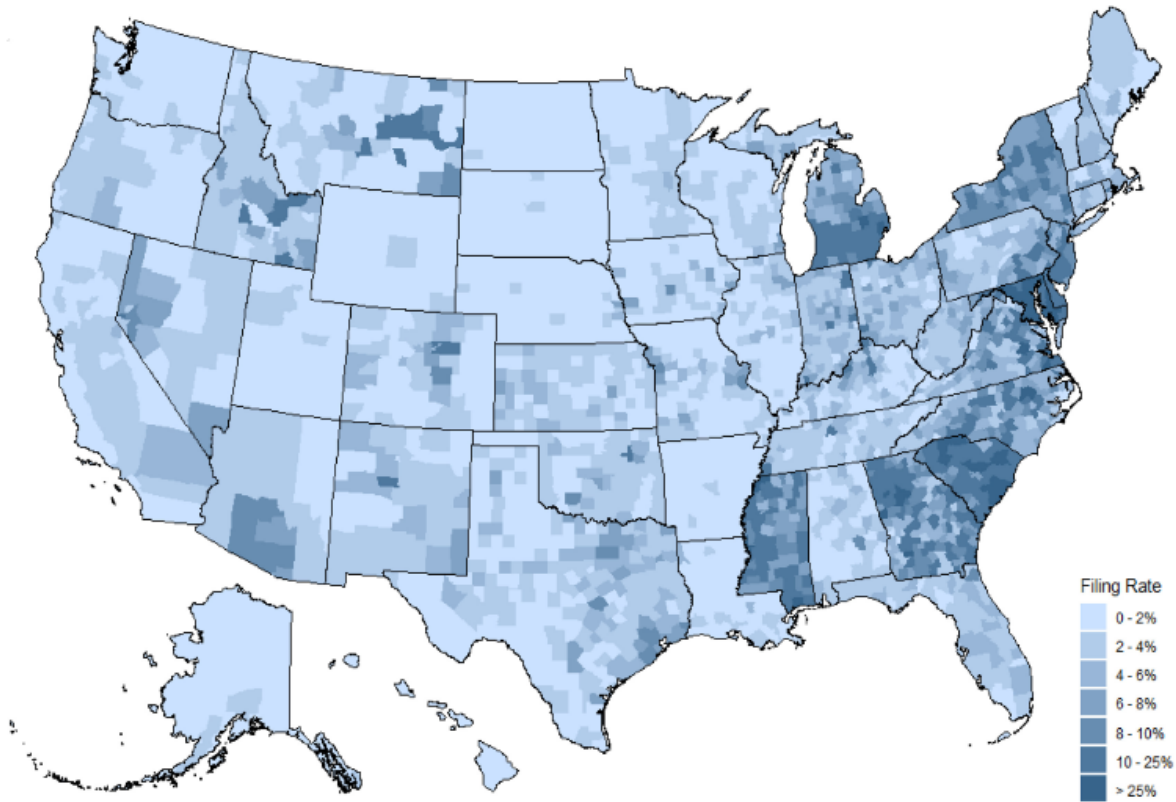


Figure 7 - Eviction Filing Rates by County (Source: Gromis, et al, 2022)

Researchers have studied differences in state landlord-tenant law that could increase or decrease landlord barriers to filing. Lower filing fees, and shorter notice periods before filing, are the factors most often associated with higher eviction filing rates. North Carolina has moderate filing fees and complex notice requirements that apply in some circumstances and not in others. As we will see in a later section, some High Point landlords are able to avoid longer notice requirements, with noticeable consequences. If barriers to filing are low, landlords are more apt to make repeated filings, which we will discuss in the section titled “Serial Eviction” below.

Beyond notice requirements, there is evidence that larger corporate landlords file more frequently than small landlords, for whom eviction likely carries more personal and ethical weight (Gomory, 2022), and as we will see, larger multifamily developments account for the largest proportion of evictions in High Point. More generally, we can speculate that the social and political environment of the American south is conducive to a harsher regime of eviction (Bateman, 2023), and some commentators have said that the law governing summary ejection in North Carolina and in Southern states generally (National Low Income Housing Coalition, 2022) is comparatively favorable to landlords.

Eviction Rate.

An eviction filing is a dramatic event in the life of any renter. It destabilizes the household and carries a dire threat. The filing alone causes harm to those caught up in it, regardless of the ultimate outcome of the case (Tsai, et al, 2022). The filing appears on the tenant's credit record, making future prospective landlords more reluctant to rent to that tenant, and it has been associated with persistent physical and mental health symptoms. Eviction filings reflect the cultural propensity of landlords to resort to court proceedings against their tenants, and define the caseloads of eviction courts. For these reasons, the filing rate has become the key indicator of eviction prevalence.

But an eviction filing does not necessarily result in the forced removal of the tenant, with all the harm that can entail. Many different possible outcomes can follow an eviction filing besides forced removal: voluntary departure prior to the completion of the court proceedings; payment of rent owed; negotiation of a payment plan; dismissal of the case with the tenant remaining in the home. Thus, following other researchers in the field (e.g., The Eviction Lab, Gromis, et al, 2023), we also use a second eviction prevalence indicator that looks to the subset of eviction filings that result in a judgment in favor of the landlord ordering the tenant to vacate the premises. This is the "eviction rate," also known as the

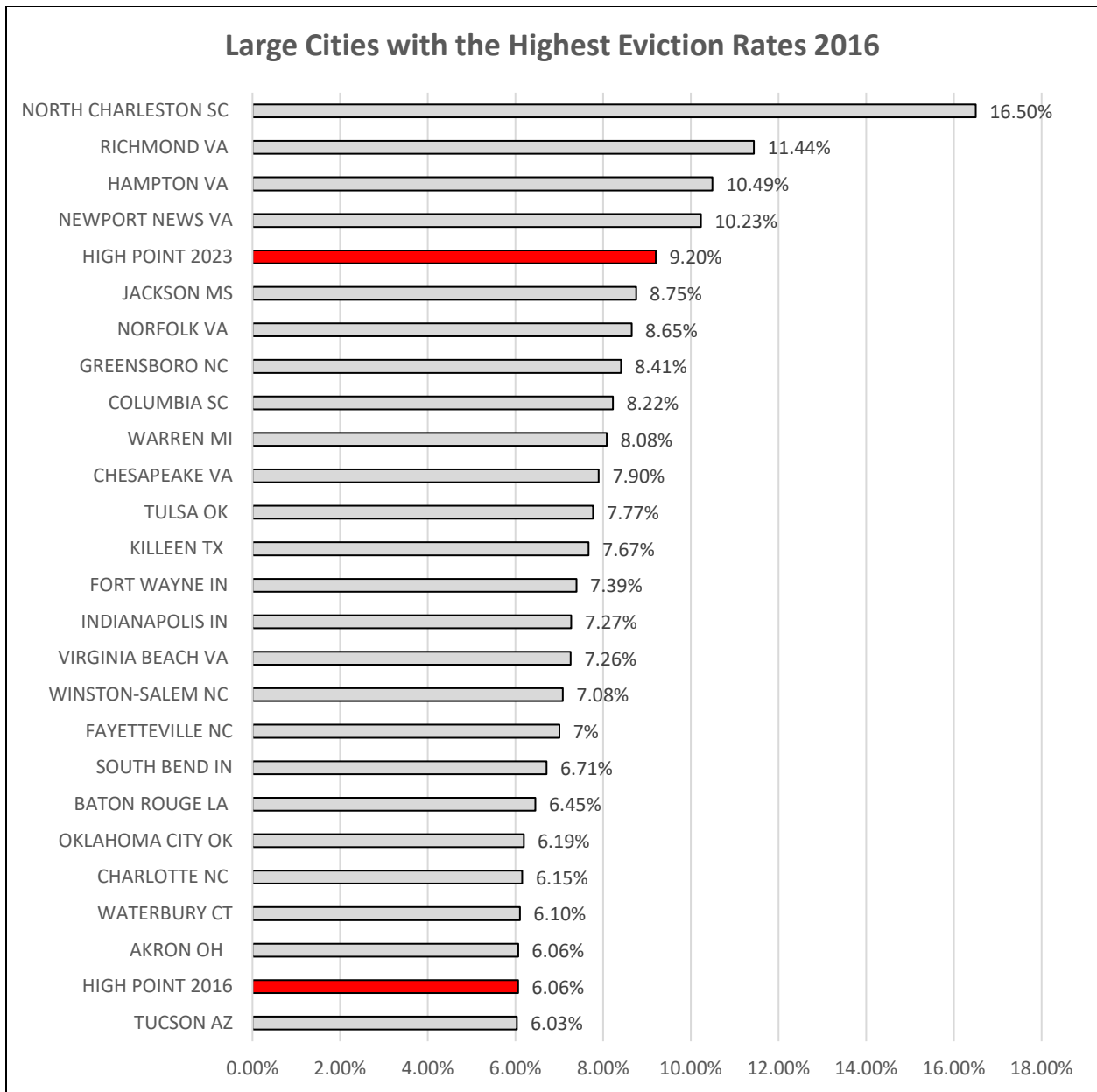


Figure 8 - Highest Eviction Rates 2016 (Source: Eviction Lab)

“actual eviction rate,” defined as the number of Orders of Possession per one hundred renter households, or put another way, the ratio of the number of orders of possession over the number of renter households. Of the 3,261 eviction filings in High Point in 2023, 1,711 resulted in an Order of Possession. The ratio of the number of orders of possession to the number of renter households is an eviction rate of 9.2%.

Comparative eviction rate data is scarcer than eviction filing rate data. Numbers of cases filed can be obtained from state court administrations in many instances, but case-level information about outcomes is less easy to come by. That said, The Eviction Lab does

estimate 6.06% as the High Point eviction rate for 2016. That placed High Point on The Eviction Lab’s list of the top twenty-five evicting large cities (cities with population of 100,000 or more). Figure 8 shows the 2016 rankings.

High Point appears twice in Figure 8, with its 2016 rate as shown in the Eviction Lab rankings, and again where it would appear in that ranking if all other cities retained the same rate but High Point had its 2023 rate.

Also on that list: Greensboro, with an eviction rate of 8.41%, making it the seventh highest evicting large city in the nation and the single highest evicting city in North Carolina – a distinction that, when it was announced in 2018, gained a tremendous amount of attention and launched the anti-eviction movement at UNCG’s Center for Housing and Community Studies and among housing advocates throughout central North Carolina.

Winston-Salem was number sixteen on the list, Fayetteville was number seventeen, and Charlotte was number twenty-one, and Durham, Wilmington, and Raleigh found spots on the top 100. Twenty North Carolina cities were on the top 100 evicting mid-size cities (with population of 20,000 to 100,000), and six were on the top 100 evicting small cities (with population under 20,000). Overall, a poor showing by North Carolina in the national top evicting city rankings.

These eviction rates and rankings are from 2016, still the most recent available estimates for eviction rates in North Carolina cities and counties. The high rankings of North Carolina cities in the 2016 list, and the lack of more recent eviction rate data, both underscore the importance of this project and the eviction data movement as a whole. High Point’s eviction rate has increased by nearly 30% since 2016, representing a trend that policymakers would understand better and could take better steps to address, if they had access to more accurate and up-to-date data.

A second way to measure forced removals, or displacements, is the “displacement rate,” or “court displacement rate.” Whereas the “eviction rate” measures court-ordered displacements as a percentage of renter households, the displacement rate measures displacements as a percentage of eviction filings. We found that of the 3,261 eviction filings in High Point in 2023, 1,711 resulted in an Order of Possession in favor of the landlord, for a displacement rate of 52%. Whereas the eviction rate measures the magnitude of all renter households’ risk of being forced to leave their home, the displacement rate measures that risk for renter households that have been brought to court by an eviction filing. Put another way, the displacement rate examines the

relationship between the two rates we have discussed up to now: the eviction filing rate and the eviction rate. By counting the number of cases that result in a court Order of Possession, we learn something about the landlords’ motivations, and about the *court* itself, allowing us to examine the practices and procedures that might encourage or restrain cases from reaching that point of drastic remedy.

Court displacement rates are not a standard measure in eviction studies and aren’t widely published. However, if the eviction filing rate and the eviction rate are known for a particular location, the court displacement rate can be inferred. Researchers in several locations have compiled comprehensive data – like the data presented here for High Point – and these have been discussed in secondary sources. Figure 9 shows the court displacement rates reported in Summers, 2022. (Sources for listed location data are provided there).

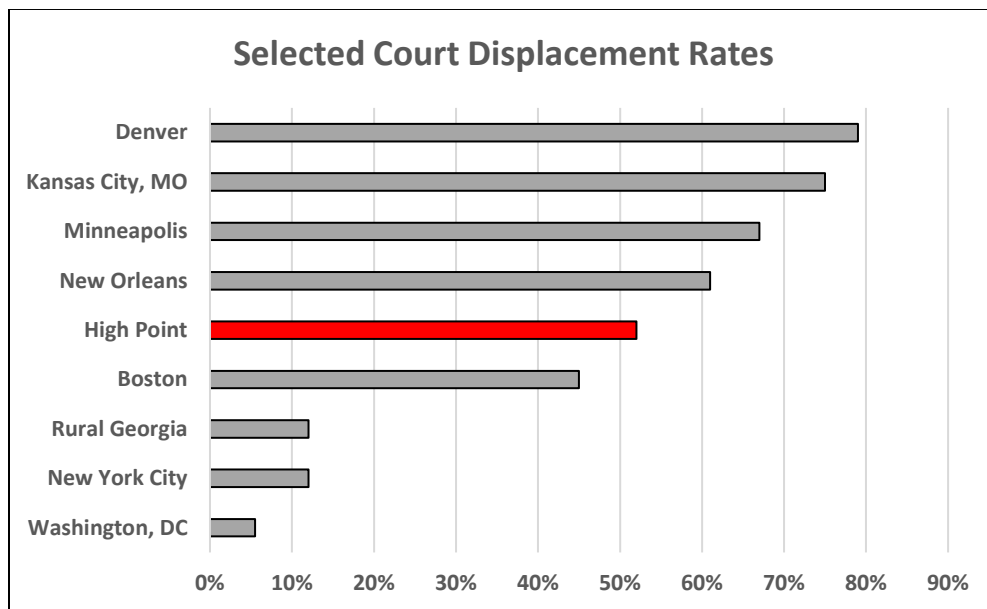


Figure 9 - Selected Court Displacement Rates (Source: Summers, 2022)

In the previous section, we addressed the policies and practices that may reduce the barriers to eviction filing and contribute to higher eviction filing rates – differences in filing fees and notice periods, for example – and these will be discussed further in a later section as well. But these same factors may also influence the displacement rate. For example, if the cost of filing is low, landlords may be tempted use the eviction proceeding more as a rent collection tool rather than to remove the tenant from the premises, resulting in more settlements and fewer displacements. Lawsuits over relatively small amounts of rent arrears, which will also be the subject of a later section, may hint at this kind of approach.

(Summers, 2022, at 298-99.) Pushing in the other direction are high rent environments, such as we see in many markets today; in this circumstance, landlords may be motivated to remove the tenant and move in another tenant at a higher rent.

Eviction studies are beginning to understand the differences in courtroom practice that make it more likely that, once a case is filed, an Order of Possession in favor of the landlord will issue. We gained insight into this question from our conversations with lawyers representing tenants in the High Point courthouse. They offered anecdotal accounts that suggested High Point cases may lead to displacement more than in Greensboro. First, to avoid displacement, landlords must be willing to accept a solution or settlement, but the lawyers said that's relatively rare in High Point – though the incentives vary depending on the size of the landlords. The small landlords who make up a high proportion of High Point Plaintiffs have “much more personal” relationships with their tenants. They may be more reluctant to file in the first place – and this is supported by research on filing rates of large and small landlords. But, said one lawyer, “If that landlord has gotten to this point of wanting to evict, it feels like there was so much water under the bridge that it's hard to negotiate with that landlord.” Some large corporate landlords are also hard to negotiate with, but for different reasons: “They have their procedures, the housing manager is in court, the owner has nothing to do with it, and they're like, they file the eviction, they go to court, and they're very robotic about it, so working something out doesn't really ever occur to them.” Second, the High Point Housing Authority, which like Housing Authorities in other locations is one of the top evictors in the city, is uncommonly reluctant to seek solutions or settlements. Third, continuances, which allow tenants extra time to seek legal assistance, raise the rent money, or relocate in an orderly fashion, are harder to obtain in High Point than in Greensboro or, if they are granted, they are shorter in duration.

Because we lack displacement rate data for Greensboro, we can't confirm that these anecdotal factors drive displacements higher in High Point than in Greensboro. More broadly, we point out that displacement rate data should be used with caution. For cases concluding without issuance of an Order of Possession, we often don't know from the record what did happen. The landlord and tenant may have resolved their dispute, leaving the tenant undisturbed in possession of the premises. But the tenant may leave prior to the final outcome of the case, either through a negotiated relocation or because of illegal harassment or lockout tactics of the landlord.

Finally, it must be recalled that an “Order of Possession” is not the same as actual possession. In North Carolina, the landlord must wait ten days before seeking execution

of a Writ of Possession by the Sheriff's Department, and during that time, the tenant may cure by payment in full. We assume many do result in dispossession in the ordinary course of things, but our study, being limited to court records, can't determine the percentage of Orders of Possession that result in actual dispossession.

The Geography of Eviction.

In this section, we turn to a spatial analysis of High Point eviction prevalence. Up to now, we've discussed the numbers and rates of evictions in the city as a whole. Here we zoom into neighborhoods to find out not just *how many*, but *where* the evictions are taking place.

High Point Eviction Filings 2023

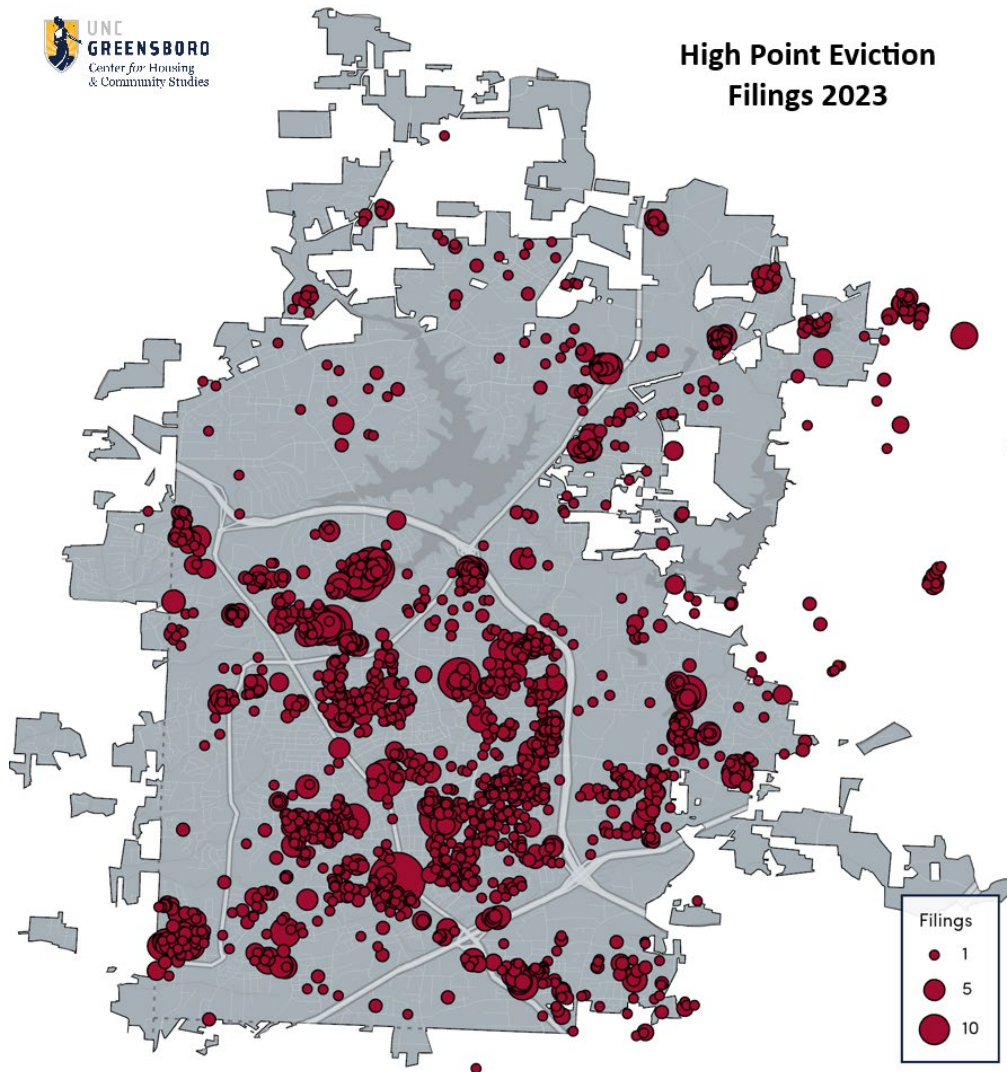


Figure 10 - Location of Evictions (Source: CHCS)

In Figure 10, each of the addresses where one or more eviction filings happened is represented as a red dot. The smallest dot represents one filing at a given address, and to visualize serial filings, we use larger dots on a scale based on the number of filings that occurred at the address, from one to a maximum of thirty-five filings at one address.

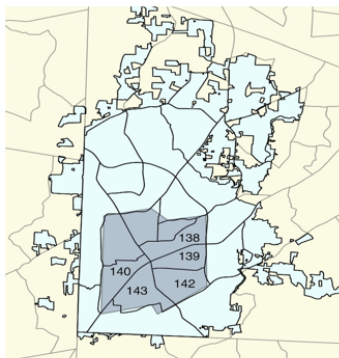


Figure 11 - Core City (Source: NC Poverty Research Fund)

We learn two main things from this map: one, that evictions are concentrated in neighborhoods south of Route 74 – including prominently the “Core City” neighborhoods shown in grey in Figure 11 (with selected Census tracts marked),

some of the poorest and most segregated neighborhoods in High Point – and two, that evictions occur in nearly all High Point neighborhoods.

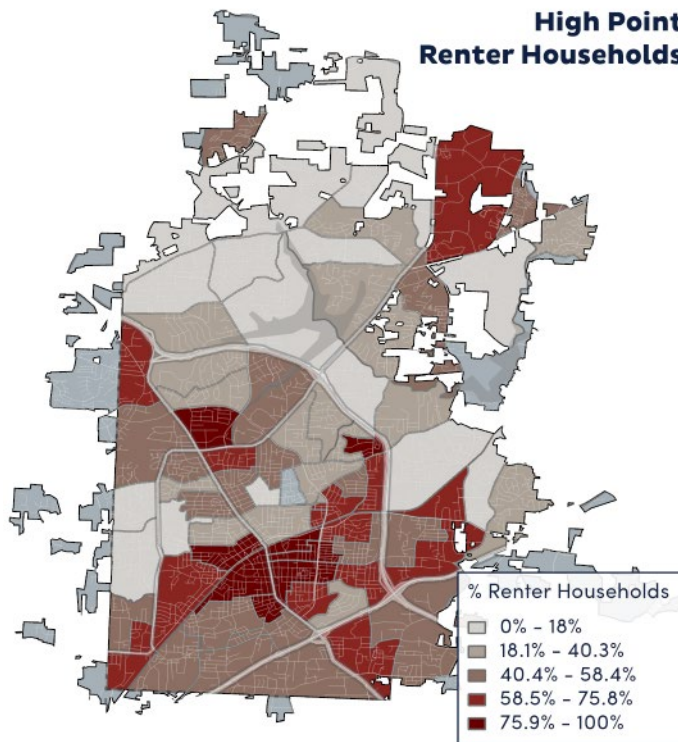


Figure 12 - Renter Households (Source: 2022 American Community Survey)

occupied units must logically have the highest eviction prevalence, and a comparison of our eviction filing map in Figure 10 shows an almost exact correspondence to the block groups in Figure 12 with the highest percentages of renters – including the low-renter pocket west of Route 68 between Burton Avenue and Lexington Avenue; the somewhat unexpected pocket of evictions between Hedgecock Road and N. Main Street; and the cluster east of I-74 between 85-Business and Jamestown Parkway.

A nearly exact mirror image of the renter households map is the median income map in Figure 13. Household income is much lower

The following maps explore some of the key social, economic, and demographic characteristics of these neighborhoods where evictions occur. They shed light on factors that might explain why evictions are concentrated in some place more than in others.

Figure 12 shows for each High Point Census block group (a geographic unit corresponding roughly to a neighborhood, each having between 250 and 500 housing units) the percentage of housing units that are renter-occupied. The block groups with the highest percentages of renter-

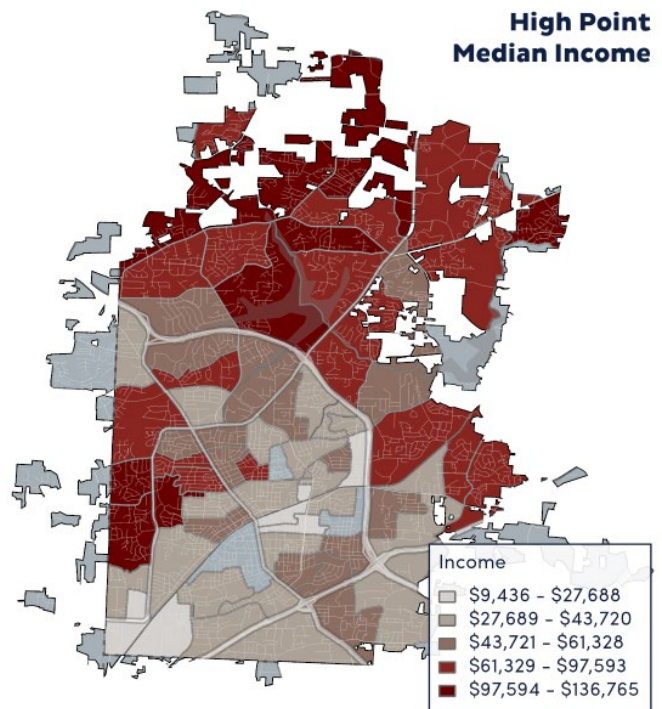


Figure 13 - Median Income (Source: 2022 American Community Survey)

among renters than homeowners (Leppert, 2022). This, too, is logical; lower income households lack the financial resources needed to achieve homeownership, and most lower income households are renters (Graetz, et al, 2023). For the lowest income brackets, that often means being relegated to rental housing in poor condition, at unaffordable rents, in a social environment where eviction is common.

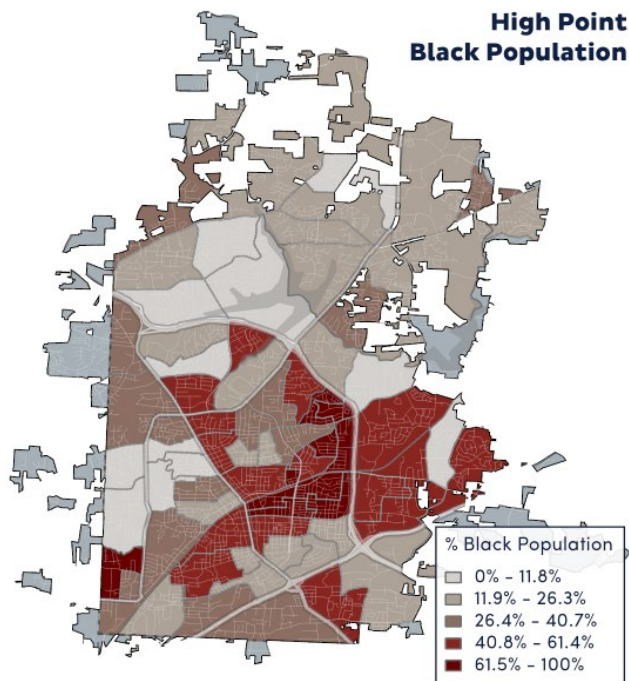


Figure 14 - Percentage Black Population (Source: 2022 American Community Survey)

neighborhoods that have the highest proportion of Black population. Researchers have considered the reasons for this, whether as an indirect consequence of racial disparities in income and opportunity, or directly because landlords have racial motivations in their decisions to resort to eviction, or a combination of both and perhaps other forces as well. These explanations are beyond the scope of this report.

Figure 15 shows the block groups having the highest proportion of Hispanic households. Researchers have found that Hispanic renters face high eviction risks, but our data

Black renters are more likely to be evicted and to suffer more severe harms from eviction (Graetz, et al, 2023; Taylor, 2019; Rothstein, 2017). The map in Figure 14 reveals, as the eviction studies literature leads us to expect, that the neighborhoods experiencing the most eviction filings, having the most renter households, and having the lowest household income levels, are the same

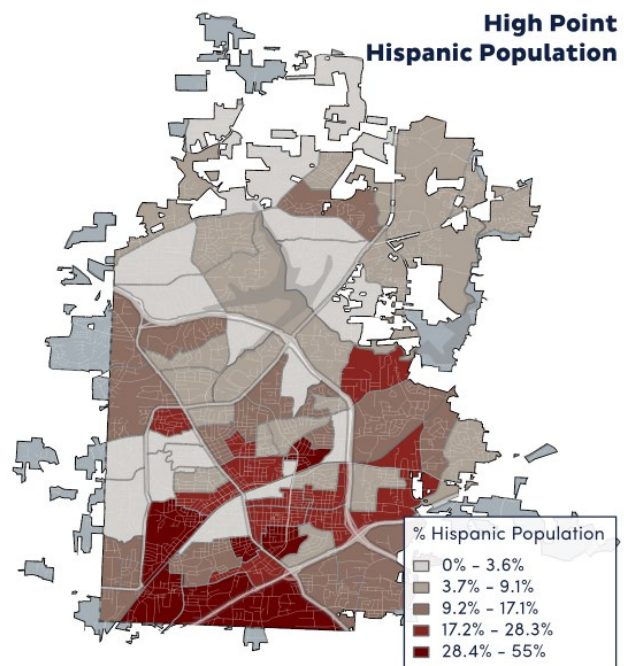


Figure 15 – Percentage Hispanic Population (Source: 2022 American Community Survey)

shows that these block groups are somewhat less geographically coextensive with the highest concentrations of eviction filings.

The map in Figure 16 illustrates the distribution of older High Point residents, with the darker-shaded block groups having a higher median age. Comparing this map with the

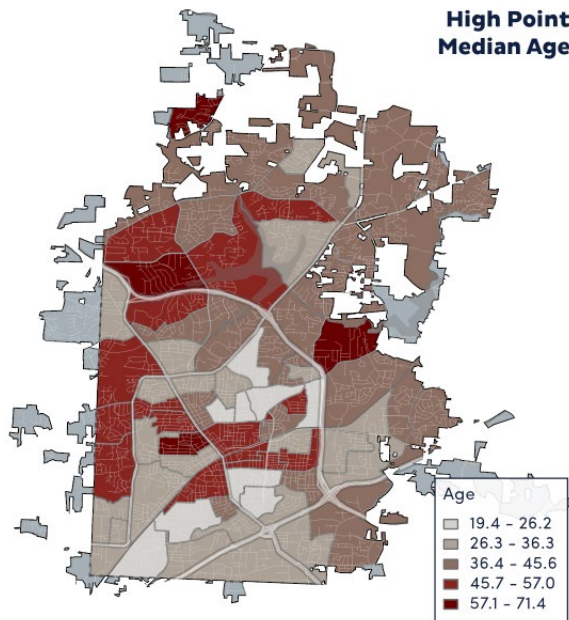


Figure 16 - Median Age (Source: 2022 American Community Survey)

other social, economic, and demographic factors is revealing, because we know from the eviction studies literature that families with children are more likely to be evicted (Gaetz, et al, 2023). While not a perfect geographic indicator of families with children, it is notable that many of the neighborhoods where evictions are concentrated are also, according to this map, those with the lowest median age.

Finally, in Figure 17, we examine the areas of the City of High Point with the highest percentages of cost-burdened renter households – that is, renter households that

find themselves having to pay more than 30% of their household income on rent and utilities. Here, we do *not* see a correspondence between these areas and the ones with the most evictions, the lowest income, or the highest proportion of Black and Hispanic households. Studies of cost burden – a key indicator of housing affordability – suggest that it can happen anywhere. Consider the belt of dark-shaded blocks groups in the center of this map just north of Route 74: the maps on the preceding pages show that this belt has relatively few Black residents and has median income in the two

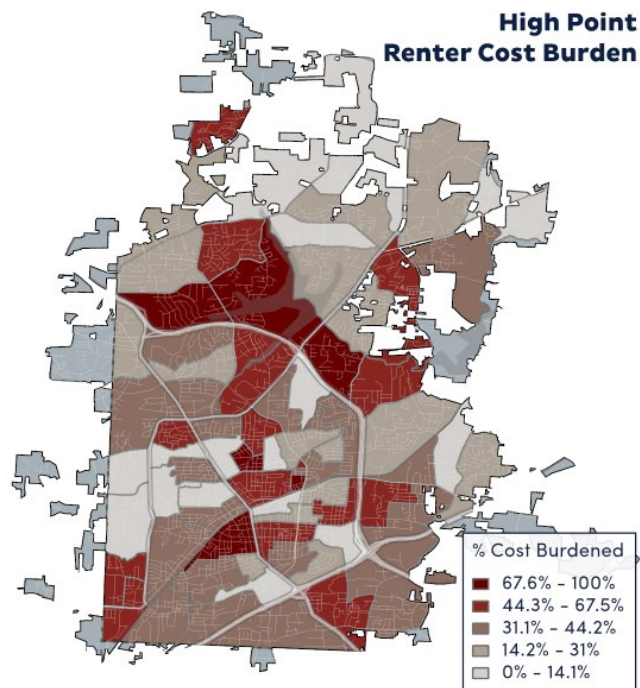


Figure 17 - Cost Burden (Source: 2022 American Community Survey)

highest brackets, from \$61,000 to \$136,000. People here incur rents beyond what they can afford, just as their lower-income neighbors do, over on the other side of the highway, but because they have more social and financial supports than their lower-income neighbors do, they don't experience as many evictions.

Landlord Characteristics.

With the *how many* and the *where* of evictions addressed in the preceding two sections, this report now turns to the question of *who is doing the evicting* in High Point. Our review of court records included the names of the Plaintiffs and how many cases each Plaintiff was responsible for.

Landlord	Number of Filings	Percent of Total Filings
Atlantic Ins. & Realty Co.	492	13.20%
Housing Authority of the City of High Point	242	6.49%
Conrad Realtor	222	5.96%
Chatham Wood Apartments	145	3.89%
Forest Edge Townhomes	101	2.71%
Howard Realty	100	2.68%
QPG Ambassador Apartments	67	1.80%
Oakview Terrace	59	1.58%
Highland Ridge	57	1.53%
Gate City Property Management	54	1.45%
Cloister Foxfire Owner	50	1.34%
Deep River Pointe	50	1.34%
Broadstone Village Apartments	49	1.32%
Highpointe Associates	48	1.29%
Cooper Mill Village Apartments	46	1.23%
Westwood Heights Apartments	45	1.21%
Benjamin James Properties	41	1.10%
SREIT Eastchester Ridge	35	0.94%
Craven Johnson Pollock	33	0.89%
Jamestown Manor Apartments	33	0.89%

Table 3 - Top Twenty Evictors in High Point 2023 (Source: CHCS)

Four hundred eighty-one landlords made at least one eviction filing in 2023. Of these, we listed in Table 3 above the twenty with the most eviction filings. The top six landlords

(those with one hundred or more eviction filings, shaded in grey in the table), by themselves accounted for just under 40% of all eviction filings.

On the other end of the spectrum, 427 Plaintiffs filed fewer than 25 cases, accounting for 38% of the cases. Two hundred seventy-nine Plaintiffs filed only one case during the year.

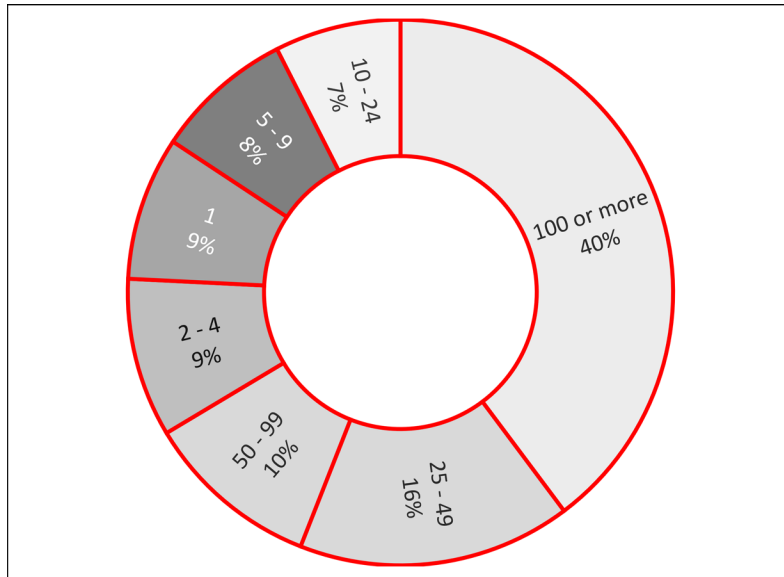


Figure 18 - Distribution of Cases Among Larger and Smaller Landlords (Source: CHCS)

Thus, we found that the cases were distributed fairly evenly among smaller and larger landlords.

Figure 18 visualizes this distribution of cases between the top evictors and those with far fewer cases. “100 or more 40%” means 40% of all cases were brought by landlords we estimate own or manage one hundred or more properties; 16% were brought by landlords we estimate own or manage 25 to 49 properties; and so on. In

all, 40% by the six largest Plaintiffs, 26% by the mid-sized Plaintiffs, one-third by the smallest Plaintiffs.

The label of “top evictor” denotes only that a particular landlord has filed the most cases in the calendar year, not necessarily that the landlord is responsible for a *disproportionate* number of eviction cases. To explore this question, we apply a notional “eviction filing rate” calculation to individual landlords, similar to the ratio we calculate for the city as a whole. If a landlord’s own filing rate is greater than the citywide rate, we may say that landlord has filed a disproportionate number of cases.

For this calculation, the numerator is the same: the number of filings. The denominator is also the same, the number of households, but here the number of households is the number of properties owned or managed by the landlord. The court data doesn’t disclose this information, but in many cases the named Plaintiff landlord is an apartment community for which we can know the number of units. For example, the landlord “Chatham Wood Apartments” is a discrete apartment complex off Johnson Street in the Oakview section of High Point. The website apartments.com usually discloses the number

of units in a particular apartment complex, and in the case of Chatham Wood Apartments, we're told the complex has 208 units. Its 145 eviction filings imply a disproportionately high eviction filing rate of 69.71%.

Table 4 lists fifteen of the top twenty evictors for which we have an estimate of total households. Thirteen are apartment complexes with unit totals disclosed by apartments.com; the Housing Authority of the City of High Point discloses on its website that it manages 900 units of public housing; and we estimate from available sources that Atlantic Ins. & Property Co. manages about 1,000 residential properties in High Point.

Landlord	Filings	Number of Units	Filing Rate
Atlantic Ins. & Realty Co.	492	1,000	49.20%
Housing Authority of the City of High Point	242	900	26.89%
Chatham Wood Apartments	145	208	69.71%
Forest Edge Townhomes	101	230	43.91%
QPG Ambassador Apartments	67	192	34.90%
Oakview Terrace	59	130	45.38%
Highland Ridge	57	120	47.50%
Cloister Foxfire Owner	50	226	22.12%
Deep River Pointe	50	240	20.83%
Broadstone Village Apartments	49	298	16.44%
Highpointe Associates	48	151	31.79%
Copper Mill Village Apartments	46	352	13.07%
Westwood Heights Apartments	45	80	56.25%
SREIT Eastchester Ridge	35	172	20.35%
Jamestown Manor Apartments	33	84	39.29%

Table 4 - Selected Landlord Filing Rates (Source: CHCS)

By the criteria we've established, the filing rates of all but two of these fifteen large filers are disproportionately high. Chatham Wood Apartments stands out with a nearly 70% filing rate. To be clear, this does not mean that 70% of the 208 units were involved in an eviction. As we will see in the next section, titled, "Serial Eviction," some of the units have multiple filings within the year. Nevertheless, the filing rate suggests that Chatham Wood Apartments has an unusual propensity to file.

Copper Mill Village Apartments and Broadstone Village Apartments had the lowest eviction rates, at 13.07% and 16.44%, respectively, less than the citywide rate of 17.57%. Other apartment complexes ranged from 20% to nearly 50%.

Two landlords on the list are not apartment complexes. The Housing Authority of the City of High Point is second on the list. Housing Authorities often find themselves on lists of top evictors, if for no other reason than they are among the largest owners of rental properties in a location. Their 900 public housing units and 242 eviction filings, however, yield a higher-than-city-wide eviction filing rate of 27%. As we will see in the next sections, the High Point Housing Authority engages in high-volume eviction practices.

Number one on the list, Atlantic Insurance and Realty Co., is the largest property manager in Guilford County with around a thousand properties. (We don't know how many of the thousand are located in High Point. If all were in High Point, their 492 filings would yield a filing rate of 49%, a very high rate; and if less than all were in High Point, the resulting filing rate would be even higher.) Here again, the large number of eviction filings is *not* attributable simply to the large number of units; the high eviction filing *rate* suggests that

this landlord is filing against a disproportionate number of households.

We have pointed out, in relation to High Point evictions generally, that they are somewhat concentrated in parts of the city that we have identified as the most vulnerable – those with highest rates of poverty and those with high proportions of Black residents – but that evictions also happen in significant numbers all over the city. In contrast, the twelve top evicting apartment complexes, plotted on the map in Figure 19, are not at all concentrated in particular neighborhoods but are scattered

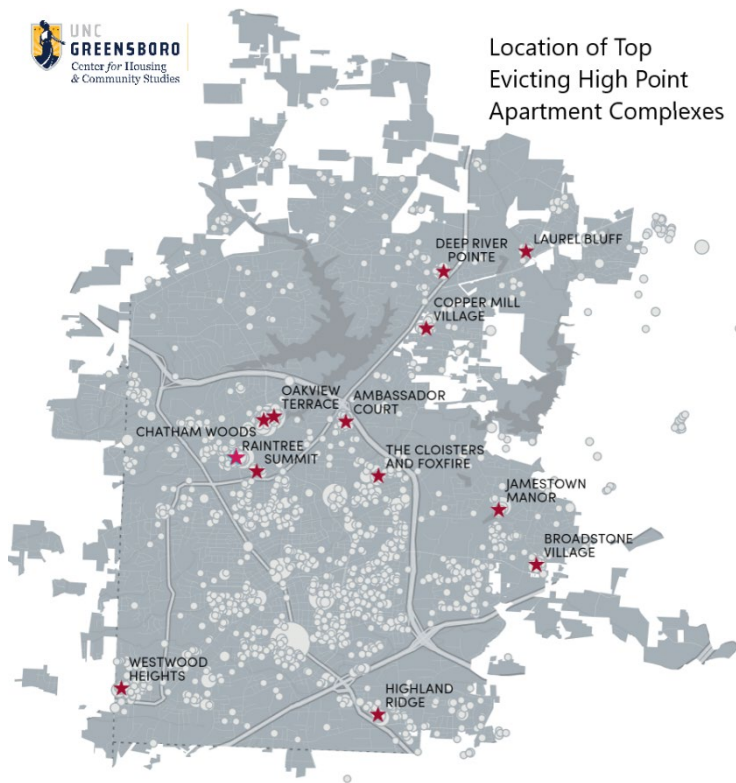


Figure 19 - Location of Top Evicting Apartment Complexes (Source: CHCS)

throughout High Point. Only two of the twelve are located in in the southern half of the city, in the areas that we identified as home to the most vulnerable households, while several are located in the northern half, in the relatively affluent Oakview and Palladium neighborhoods. We know from our own data and from the work of other scholars that

evictions are concentrated in low-income and more Black neighborhoods, but our data also shows that eviction hotspots can be anywhere.

We also considered whether the rent level of these apartment complexes was associated with their high filing rates. The median rent for a two-bedroom apartment in High Point



Figure 20 - High Point Median 2-Bedroom Apartment Rent (Source: Zillow Rentals Data)

calculated as of March 21, 2024, is \$1,100, while the median rent for all housing types and all numbers of bedrooms is \$1,500. The range for all two-bedroom apartments in High Point is shown in Figure 20.

Table 5 below shows the asking rent for a two-bedroom apartment in each of the twelve apartment complexes, as quoted by apartments.com. All are in the

bottom half of the rent range for all housing types and sizes, but straddle the range for two-bedroom apartments. As expected, those in the lowest-income neighborhoods are at the bottom of the range, while those located in higher-income neighborhoods range up to \$1,500. But the highest filing rates affected apartment complexes in all neighborhoods and price points.

Landlord	Apartment Complex	Typical 2-BR Rent	Property Manager
Chatham Wood Apartments	Chatham Wood	\$1,300	
Forest Edge Townhomes	Raintree Apartments	\$950	Brookhaven Property Group
QPG Ambassador Apartments	Summit Eastchester	\$1,200	First Communities
Oakview Terrace	Oakview Terrace	\$1,330	Capstone Multifamily Group
Highland Ridge	Highland Ridge	\$1,375	Morgan Properties
Cloister Foxfire Owner	Cloister and Foxfire	\$1,150	Concordia Properties
Deep River Pointe	Deep River Pointe	\$1,500	Pedcor Homes Corporation
Broadstone Village Apartments	Broadstone Village	\$1,080	Carroll Management
Highpointe Associates	Laurel Bluff	\$1,500	Palms Associates
Copper Mill Village Apartments	Copper Mill	\$1,037	Carroll Management
Westwood Heights Apartments	Westwood Heights	\$899	GVA Property Management
SREIT Eastchester Ridge	Eastchester Ridge	\$1,160	Highmark Residential
Jamestown Manor Apartments	Jamestown Manor	\$1,050	Apartment Dynamics

Table 5 - Twelve Apartment Complexes with High Eviction Filing Rates (Source: CHCS)

Also noted in Table 5 are the names of the property managers for the twelve of the thirteen apartment complexes that list them, highlighting an important aspect of eviction propensity. Some are large local firms, and others have regional or national reach and

would typically be hired by larger, corporate owners. Researchers have shown that large corporate owners are more likely to engage in the kind of high-volume eviction filings we see here. They are much more likely to file evictions than smaller landlords, and as they control more and more of the market, relying more on larger professional property managers, the trend has been toward “filing by computer,” with cases filed automatically upon the happening of specified conditions, leaving little opportunity to work out solutions that might prevent the drastic remedy of eviction (Gomory, 2022; Immergluck, et al, 2019). We will encounter this phenomenon again in later sections on Serial Eviction and Legal Representation.

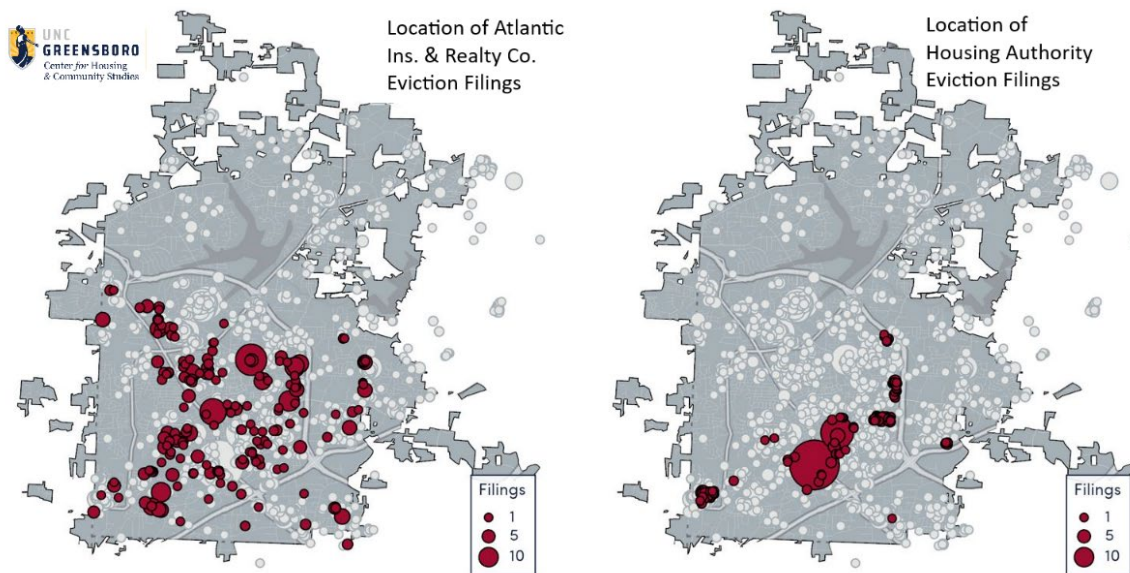


Figure 21 - Location of Selected Eviction Filings (Source: CHCS)

To return to the subject of geography of eviction, we plotted on the maps in Figure 21 the locations of eviction filings for the two top evicting landlords that we have discussed in this section. Again, they differ significantly. The one on the left reflects Atlantic’s business of managing rental housing on behalf of landlords scattered throughout the lower income neighborhoods south of Route 74, while that on the right shows large numbers of evictions concentrated in limited geographic areas where public housing facilities are located.

We close this section on Landlord Characteristics with a mention of apartment complexes that in 2023 had *low* rates of eviction filings or none at all.

Apartment Complex	Number of Filings	Number of Units	Implied Eviction Filing Rate
Deep River Plantation	0	272	0.0%
The Crossing Apartments	0	156	0.0%
Brentwood Crossing	0	135	0.0%
Addington Ridge	0	58	0.0%
Admiral Pointe	0	59	0.0%
Franklin Ridge Apartments	0	48	0.0%
Oakwood Apartments	0	32	0.0%
Palladium Park Apartments	1	312	0.32%
Suffolk Place Apartments	1	140	0.71%
The Oaks At Silver Ridge	1	100	1.00%
William Booth Gardens	1	76	1.32%
Avondale Trace Apartments	1	72	1.39%
Highbrook Apartments	9	312	2.88%
Alexandria Park Apartments	8	240	3.33%
New Gate Garden Apartments	5	136	3.68%
Lake Road Apartments	4	99	4.04%
Crowne At James Landing Apartments	20	460	4.35%

Table 6 - Apartment Complexes with Low or No Eviction Filings

The first seven apartment complexes in Table 6 filed no eviction cases, while the remaining ten filed at a low rate, based on our best estimate of the number of units in each complex, with implied eviction filing rates ranging from a fraction of a percent to 4.35% -- far less than the filing rates in the 40s to 60s that we observed from some landlords, and far less than the 17.57% eviction filing rate for the City of High Point as a whole.

These seventeen communities are an eclectic group, ranging from small to large, with price ranges in some cases slightly above the those of the highest evicting communities, but also some in lower prices ranges, and the list also includes several affordable, subsidized developments. There would not seem to be any unifying explanation for the low eviction rates. Some landlords don't pursue a high-eviction business model. On the other hand, we know that many – if not most – evictions take place outside the court system, with landlords resorting to informal, and in some cases illegal, methods (Zainulbhai and Daly, 2022). Tenants with low legal literacy are told they must leave; tenants are threatened or intimidated; and they are locked out. We are not at all suggesting that any of these landlords are engaged in such practices, and we have no evidence that they are; we're only saying that low levels of formal court-based eviction

don't always mean there are low levels of eviction. Further research in the area of informal eviction is needed.

Figure 22 is a vivid illustration of the different experiences tenants may have. The left panel of this map excerpt shows four apartment complexes located along Johnson Street near Oak Hollow Lake. Raintree Apartments is one of the top evictors, with a 43.91% filing rate. Just across Johnson is The Crossing Apartments, with, as far as we can tell, no filings in 2023. Summit Eastchester has a moderately high eviction rate, and Gilwood North Apartments also has evictions in the moderate range. The right-hand panel of the map, depicting a different part of town, shows the Laurel Bluff complex, with a 32% filing rate, nearby the Deep River Plantation, with no filings. In the section titled "Geography of Eviction," we demonstrated that where you live is a strong predictor for eviction risk, but clearly there are other factors at play.



Figure 22 - Apartment Complexes with Contrasting Rates of Eviction (Source: CHCS)

Serial Eviction.

In the section titled "Eviction Filing Rate," we reported that there were 3,261 eviction filings in High Point in 2023. This number – the top line finding of this report – remains the most common and familiar indicator of eviction prevalence. Then in the following section, titled "Eviction Rate," we reported that of the 3,761 eviction filings, 1,711 resulted in an Order of Possession in favor of the landlord, directing the tenant to vacate the premises.

The top line number also conceals another important indicator, the “households threatened rate.” This is the percentage of renter households that received at least one eviction filing. In High Point in 2023, 2,096 households received at least one eviction filing, for a households threatened rate of 11.3%. That means that 1,165 eviction filings were “serial filings” – repeat cases filed against the same household by the same landlord in the same year.¹

This large number of serial filings provides a window into some of the deepest pathologies of the eviction system. In High Point in 2023, 613 households had more than one eviction case filed against them. In several cases, the tenant had relocated after the first eviction and later received a new eviction filing from the next landlord, but in the vast majority of cases, the repeat filings were from the same landlord. Table 7 shows the number of High Point tenants who were sued for eviction three or more times. The households at the top of the chart, those that were sued eleven and ten times, were tenants of Chatham Wood Apartments, the fourth most frequent evictor in High Point. Of those who were sued between six and nine times, nineteen were tenants of Atlantic Ins. & Realty Co., the most frequent evictor in High Point. As we will see later in this section, the landlords that do the most evicting also do by far the most serial evicting.










One household received		11 eviction filings
One household received		10 eviction filings
Two households received		9 eviction filings
Eight households received		8 eviction filings
Four households received		7 eviction filings
Twenty households received		6 eviction filings
Twenty-seven households received		5 eviction filings
Sixty-eight households received		4 eviction filings
One Hundred twenty-five households received		3 eviction filings

Table 7 - Tenants Receiving Repeat Filings (Source: CHCS)

¹ Note that the number 1,165 is likely an undercount. Our count is limited to the calendar year 2023. Thus, what we count as the “first” filing against a particular household may in fact be a repeat filing for a household that received their first filing in 2022. The undercount may be material – we can’t quantify it – but we present these findings as they are because the number of serial evictions, even if a conservative estimate, is quite significant.

Serial eviction is becoming a common practice, as larger corporate owners take the place of smaller owners who live in the same house as their tenants or in the neighborhood close by, and have personal, face-to-face relationships with their tenants. The corporate landlords engage professional property managers and eviction law firms that use automated systems to file eviction papers as soon as the rent payment is late or a similar triggering event occurs (Frazier, 2024).

To the extent the removal of the tenant is the goal of eviction, this kind of hair-trigger filing might only make business sense in a hot market where the eviction is pretextual – to make way for a financially able tenant willing to pay higher rent. That happens in many places but it doesn’t describe today’s High Point rental market. In fact, as shown in Figure 23, two-bedroom apartment rents are flat in High Point and rents overall have dropped in the last year.



Figure 23 - High Point Rent Trends 2BR Apartments (left) and all rentals (right)(Source: Zillow Rentals Data)

Hair-trigger filing would seem to be unreasonably costly to the landlord, a small amount of back rent against the litigation fees, the apartment empty for a month or more, the cost of finding a new tenant. But increasingly, as serial eviction practices become more prevalent, and low-cost filing is deployed as a first resort rather than a last resort, removal of the tenant is not the objective. An alternative consideration may explain serial filing. An automated eviction filing functions as a rent-collection machinery. As soon as a rent payment is late, an eviction filing issues, like a late notice. This kind of eviction practice offers a new opportunity for profit; like traditional late fees, an eviction results in a charge against the tenant for late fees, court costs, legal bills. The lower the barriers to eviction filing, the greater the prevalence of serial eviction – and as we will see, the barriers in North Carolina are lower than at first they appear. The commodification of rental housing has reached its apotheosis in a computerized system of value maximization, reminiscent of the yield management techniques used to extract the most revenue from an airline

seat or a supermarket shelf. (See, generally, Leung, et al, 2023; Gomory, 2022; Leung, et al, 2021; Immergluck, et al, 2020.)

Landlord	Filings	Unique Households	Single Filing Households	Repeat Filing Households	Repeat Household Filing Rate	Average Filings per Repeat Household	Repeat Filings	Repeat Filing Rate
Atlantic Ins. & Realty Co.	492	231	134	97	41.99%	3.69	261	53.05%
High Point Housing Authority	242	187	144	43	22.99%	2.28	55	22.73%
Conrad Realtor	222	124	69	55	44.35%	2.78	98	44.14%
Chatham Wood Apartments	145	67	38	29	43.28%	3.69	78	53.79%
Forest Edge Townhomes	101	69	46	23	33.33%	2.39	32	31.68%
Howard Realty	100	48	20	28	58.33%	2.86	52	52.00%
QPG Ambassador Apartments	67	57	49	8	14.04%	2.25	10	14.93%
Oakview Terrace	59	24	9	15	62.50%	3.33	35	59.32%
Highland Ridge	57	36	24	12	33.33%	2.75	21	36.84%
Gate City Property Management	54	41	33	8	19.51%	2.63	13	24.07%
Cloister Foxfire Owner	50	32	21	11	34.38%	2.64	18	36.00%
Deep River Pointe	50	31	16	15	48.39%	2.27	19	38.00%
Broadstone Village Apartments	49	38	28	10	26.32%	2.10	11	22.45%
Highpointe Associates	48	29	22	7	24.14%	3.71	19	39.58%
Copper Mill Village Apartments	46	33	24	9	27.27%	2.44	13	28.26%
Westwood Heights Apartments	45	33	23	10	30.30%	2.20	12	26.67%
Benjamin James Properties	41	31	24	7	22.58%	2.43	10	24.39%
SREIT Eastchester Ridge	35	30	25	5	16.67%	2.00	5	14.29%
Craven Johnson Pollock	33	25	17	8	32.00%	2.00	8	24.24%
Jamestown Manor Apartments	33	26	20	6	23.08%	2.17	7	21.21%

Table 8 – Serial Eviction Rates of Top Evictors (Source: CHCS)

The data in Table 8 reveal that the High Point landlords with the most eviction filings also have high rates of serial eviction filing. The first column shows the total number of filings; the second column is “unique households,” that is, the number of households to receive at least one eviction filing from that landlord in 2023; the third column is the number of households receiving only one eviction filing; the fourth column is the number of households receiving more than one filing; the fifth column is the percentage of unique households receiving more than one filing; the sixth column is the average number of filings per repeat household; the seventh column is the total number of repeat filings; and the last column is the percentage of total filings that are repeat filings.

We utilize the two serial filing indicators, serial eviction filing rate (fifth column) and repeat filing rate (eighth column), to illustrate the key elements of serial eviction. As an example, of the 231 unique households that Atlantic Ins. & Realty Co. sued for eviction, 97 received more than one filing, for a Serial eviction filing rate of just under 42%. Of

Atlantic’s 492 total filings, 261 were repeat filings, for a repeat filing rate of more than 53%. Remarkably, as the table makes clear, the more filings a landlord made, the higher their serial eviction filing rate and repeat Filing Rates turned out to be, with rates in the 40s, 50s, and even 60s clustered in the top half of the table. In other words, the landlords that file the most evictions don’t just file more serial evictions, they file a disproportionate amount of serial evictions.

The Housing Authority of the City of High Point deserves special mention. Its serial eviction filing rate is 23%, and its Repeat Filing Rate also 23%. These are moderate when compared to other top evictors in High Point – though, to be sure, its 55 serial filings are not insignificant.

But in a recent study (Leung, et al, 2023), the Housing Authority of the City of High Point was found to have a serial eviction filing rate of 59%, the fifth highest among the 49 Public Housing Authorities deemed by the researchers as “large” – meaning those with 1,000 or more units under operation. (The HPHA now operates 900 units.) The researchers studied records of court cases filed between 2000 and 2016. We can’t explain definitively the different findings between that earlier period and 2023. It is possible that the HPHA has dialed the evictions down over the past nine years, or that they’ve been slower than the private landlords to return to pre-pandemic eviction levels. Our conversations with housing advocates who are familiar with the Housing Authority’s filing practices (reported in Part II in the section titled “Housing Advocates”) suggest a continued high eviction approach, intended, as one put it, to “get them out.” No doubt, HPHA does evict at a high rate, and we certainly wouldn’t interpret a 28% eviction filing rate as a “dialing down,” but we would say that the HPHA, while a top evictor, does not match the very high rates we see among large private landlords and property managers, and does not match the very high serial eviction filing rate found by researchers in 2016.

Grounds for Eviction.

In this section, we will discuss two main aspects of the topic of grounds for eviction: one, the dollar amount of rent arrears stated as the ground for the eviction claim, and two, the selection of claims from the four choices listed in the Complaint in Summary Ejectment.

Dollar Amount. In previous sections of this report, we’ve noted that lower filing fees and shorter notice requirements remove barriers to eviction filing and encourage landlords to

file more cases. We speculate, too, that if it's easier to file, landlords will file over smaller and smaller amounts of unpaid rent.

We reviewed all cases that claimed an amount of rent or fees due as the basis for the eviction claim. (We eliminated 143 cases with an amount claimed of zero, on the basis that these cases were brought on a ground other than nonpayment or otherwise failed to recite an amount owed.) Figure 24 shows the distribution of those amounts. Each point on the vertical axis represents a bracket (up to \$100, \$101 to \$200, \$201 to \$300, and so on)(except at the highest dollar amounts, the brackets are larger). The cases range from \$25 to \$16,900. The average amount claimed is \$1,460. The median amount claimed is \$1,144.

The graph in Figure 24 on the following page reveals that landlords are filing evictions over quite small amounts, with the bars on the graph mainly clustered between \$500 and \$1,500. Particularly in light of our discussion of serial filing above in this report, we expected to see small claims, and this does appear to be a key finding.

All Cases by Amount of Rent and Fees Claimed

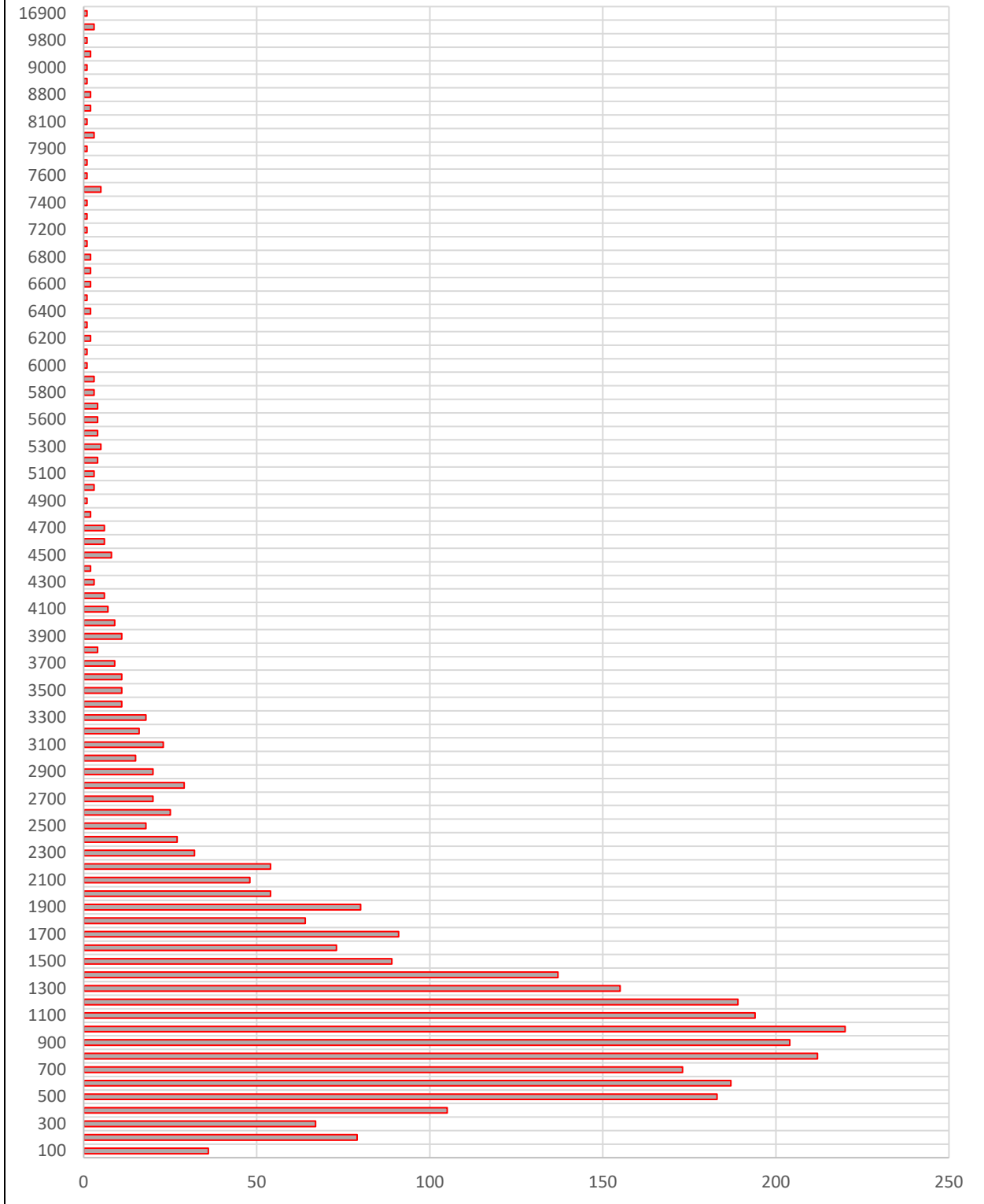


Figure 24 - Cases by Amount of Rent and Fees Claimed (Source: CHCS)

The practice of filing an eviction over very small amounts, while quite harsh from the tenant’s point of view, actually serves two distinct interests of the landlord. First, it’s a natural consequence of high-volume serial filing, where in the extreme case a landlord may file repeatedly every month or every two or three months, the amounts at issue each time are likely to be small; there hasn’t been time between filings to accrue large amounts of rent arrears. Thus, small claims of this kind are consistent with situations where the landlord’s objective is less to remove the tenant than to keep the tenant under the threat of removal and generate additional fee streams in the process. Second, in situations where the landlord *is* motivated to remove the tenant, often because of factors other than rent arrears, small amounts can provide the pretext needed. (See, generally, Garboden and Rosen, 2019).

To explore further whether the small claims were resulting in removal of the tenant, we compared the amount claimed with Orders of Possession.

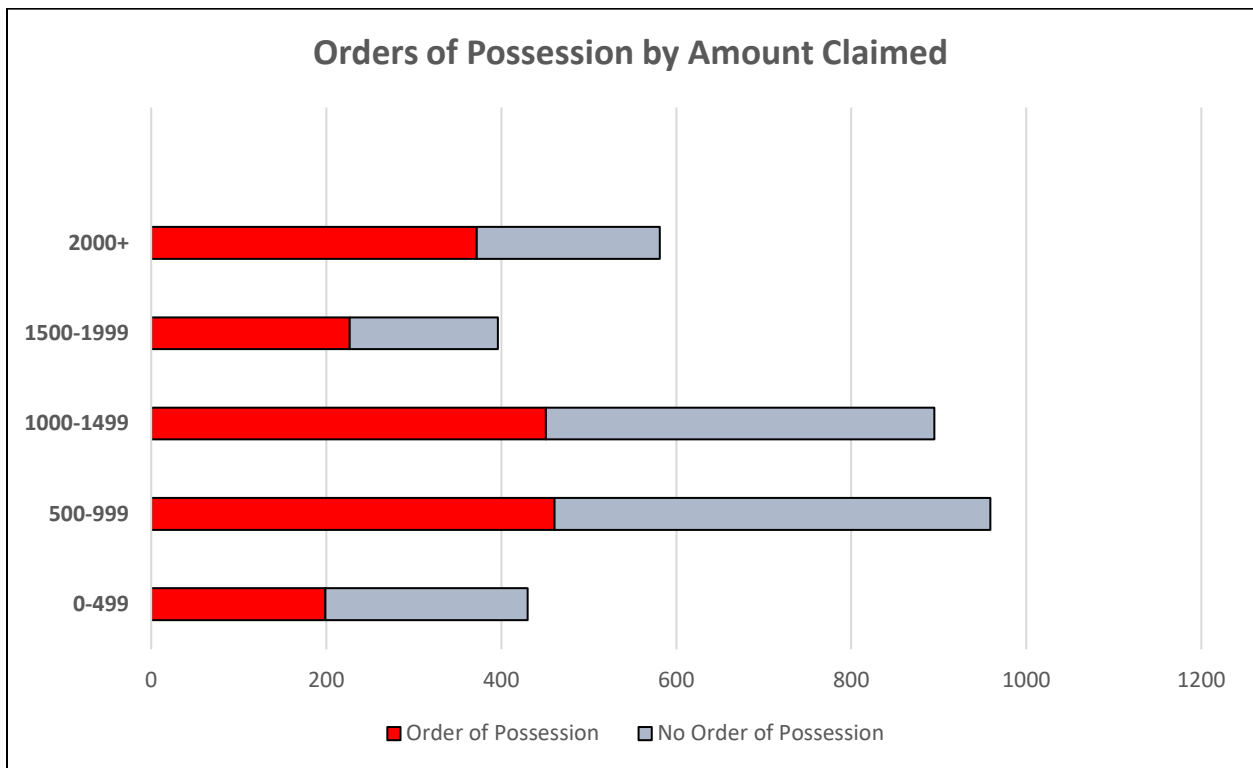


Figure 25 – Orders of Possession By Amount Claimed (Source: CHCS)

Figure 25 displays all cases by amount claimed, this time in \$500 brackets. The distribution of cases by amount claimed is the same as in Figure 24, but within each bracket, the red bar represents those cases that resulted in an Order of Possession. For cases with amounts claimed of less than \$2,000, roughly half resulted in orders of possession, and

that proportion stayed fairly constant regardless of the bracket. Thus, smaller claims did not result in orders of possession appreciably more or less than other cases. But, as we discussed above in the section titled “Landlord Characteristics,” the set of all cases is fairly evenly distributed among large, mid-sized, and small landlords, who have a range of tactics and preferences as to seeking removal or seeking rent and fee collection. In Figure 26, focusing on larger landlords who filed the most eviction cases, the results were revealing, both as to size of claims and as to the percentage of claims that resulted in orders of possession.

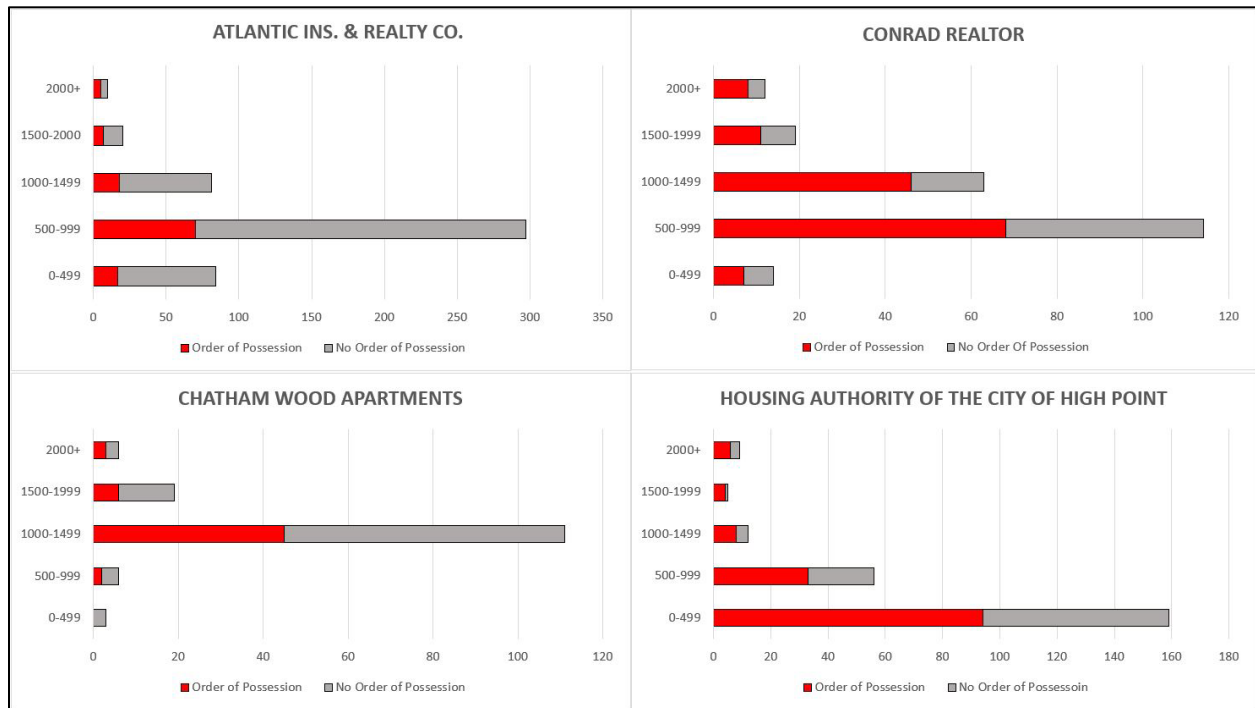


Figure 26 - Amounts Claimed by Landlord (Source: CHCS)

The four landlords display four different approaches to eviction. Atlantic Ins. & Realty Co. files relatively small, though not the smallest, claims, and has the smallest percentage of cases, 24%, resulting in Orders of Possession, suggesting a litigation strategy geared less to removal than to collection – consistent with this landlord’s position as the most prolific serial filer. Conrad Realtor, another management company, has cases with amounts between \$500 and \$1,500, but 63% of those cases result in Orders of Possession. Chatham Wood Apartments has cases with larger amounts claimed, most in the \$1,000 to \$1,500 bracket, of which 39% resulted in Orders of Possession. Compared to these three private landlords, the Housing Authority filed cases in 2023 with much smaller amounts claimed, well over half of them under \$500, and across all brackets, 60% resulted in orders of possession. As discussed below in Part III, the tenant advocates we spoke to provided

anecdotal reports to the effect that the Housing Authority evicts over “the smallest amounts of money that I’ve seen people being evicted for,” and that the objective appeared to be to “get them out.” These reports are supported by our data.

The phenomenon of small claims in eviction cases is particularly relevant to the question of eviction prevention. During the pandemic, the federal government provided unprecedented amounts of rental assistance funding, under the Emergency Rental Assistance Program (ERAP). For a part of that time, following catastrophic job losses, a series of eviction moratoria kept millions housed who otherwise would have faced eviction for nonpayment of rent, and during that period, and after the lifting of the moratoria when evictions could have resumed on a large scale, ERAP funding kept landlords whole and tenants housed. Rental assistance intervention thus proved a powerful and effective tool for housing stability. ERAP came to an end, and as this report shows, high volume eviction practices have only grown since then, but we know that modest amounts of rental assistance can change outcomes and keep renters in their homes. This is the more true in the case of small rent claims: rental assistance of five hundred or a thousand dollars deployed strategically could prevent an eviction, keep a family safe, and save the community the incalculable consequential costs of eviction in health, lost work, and drain on local services. (See, generally, Gilman, 2023.)

Claim Selection. We also reviewed all cases to determine which of the four grounds was selected by the Plaintiff as the basis for the eviction claim. As a reminder of the discussion above in Part I, the Plaintiff must check one of the four boxes to indicate the statutory basis for the case. For convenience we show them here again in Figure 27.

3. <input type="checkbox"/> The defendant failed to pay the rent due on the above date and the plaintiff made demand for the rent and waited the 10-day grace period before filing the complaint.
<input type="checkbox"/> The lease period ended on the above date and the defendant is holding over after the end of the lease period.
<input type="checkbox"/> The defendant breached the condition of the lease described below for which re-entry is specified.
<input type="checkbox"/> Criminal activity or other activity has occurred in violation of G.S. 42-63 as specified below.

Figure 27 - Statutory Grounds for Eviction (Source: North Carolina Judicial Branch)

The first ground is nonpayment of rent, the second holdover, the third breach of the lease, and the fourth criminal activity. We know that nonpayment of rent is the most common ground for eviction. That being so, we would expect the first box to be checked in the majority of cases – but we would be wrong.

As shown in Figure 28, of all cases, 633, or just under 20%, selected the first ground, while 2,732, or 84% of cases, selected the third ground, breach of lease. We emphasize that nonpayment of rent is one among many possible types of breach of lease, so it is not

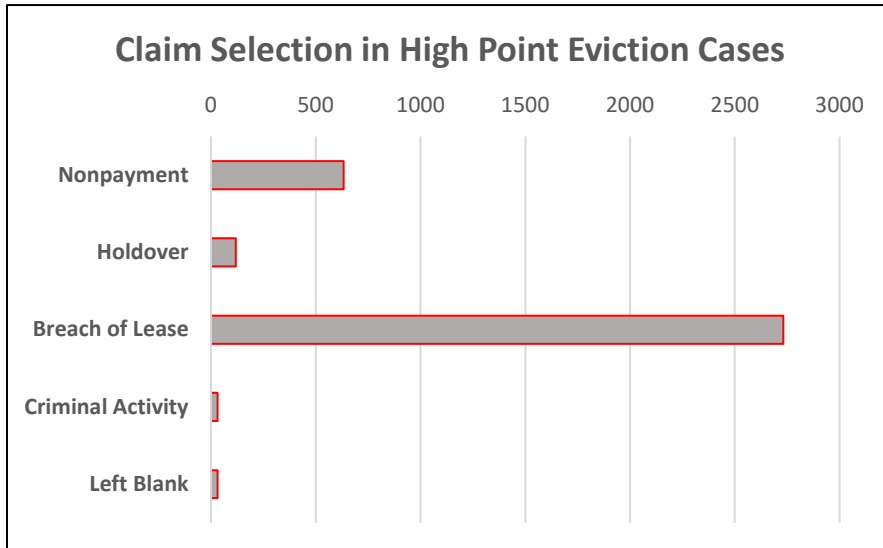


Figure 28 - Claim Selection in High Point Eviction Cases (Source: CHCS)

incorrect to select this as the ground for eviction. But underlying this selection is a twist in North Carolina eviction law that is of vital importance and is perhaps not well understood by some observers. To explain, a further requirement of the first and third grounds must be stated: the first ground

is for leases that are not written or leases that do not contain a forfeiture clause – that is, a clause that allows the landlord to terminate the lease immediately upon the happening of a breach. Under the relevant case law, the third ground is for written leases that do contain forfeiture clauses. This distinction has great tactical and legal significance: upon forfeiture, the landlord is entitled to terminate the lease immediately and file the eviction lawsuit without first giving the ten-day notice that is otherwise required – and is required under the first ground. Experienced parties, including large corporate landlords and their sophisticated law firms, understand this twist and know (a) to write leases with forfeiture clauses, (b) to file under the third ground and, hence, (c) to skip the ten-day notice.

As we have discussed in previous sections, longer notice requirements constitute barriers to filing and tend to reduce the number of eviction filings (Leung, Hepburn, and Desmond, 2020). Notably, compendia of state eviction laws, for example the one maintained by the Legal Services Corporation Eviction Laws Database, state that in North Carolina “the minimum amount of notice a landlord must provide before terminating a tenancy for nonpayment” is ten days, without also explaining that a landlord may terminate a tenancy for nonpayment without notice – in the circumstances we have described here.

The significance of this claim selection issue, between the first and third grounds, is revealed vividly when we compare claim selection by large and small landlords. Figure 29 shows on the left the twenty-five landlords with the most eviction cases, and on the right the 372 landlords with three or fewer evictions. The twenty-five landlords are collectively responsible for 2,118 cases, while the 372 landlords are collectively responsible for only 501 cases.

The large landlords rely on the third ground almost exclusively, with 93% of the cases based on that ground and only 11% on the first ground, or nonpayment. The large landlords are aware of the different notice requirements, and have leases that contain forfeiture clauses. The small landlords either aren't aware of the notice issue, or aren't concerned about it, or have leases without forfeiture clauses. They select the third ground only 51% of the time, and the first ground 45% of the time.

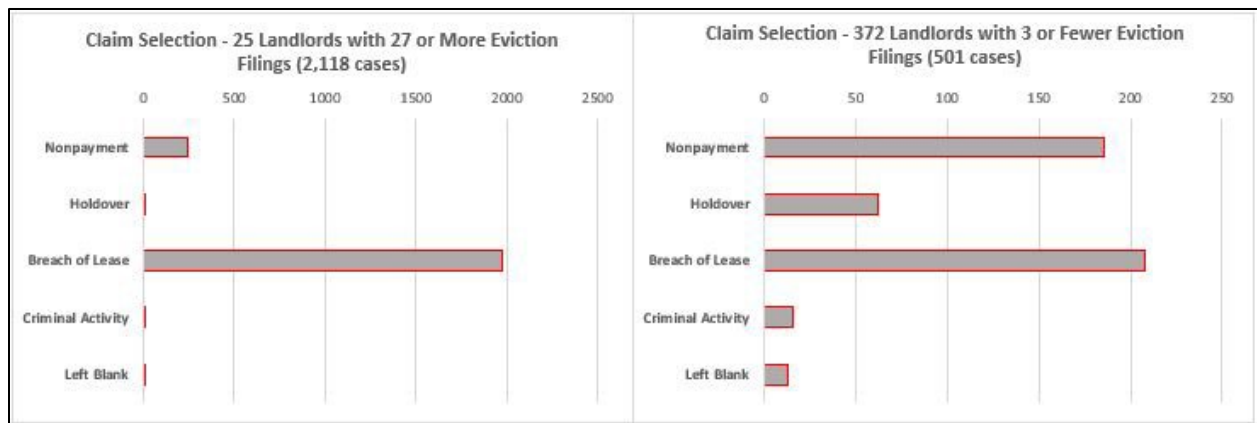


Figure 29 - Claim Selection by Landlord Size (Source: CHCS)

Some landlords check more than one box (and these multiple grounds are counted in the totals discussed here). This is not a common occurrence, except that two of the largest landlords select the first and third grounds in many of their cases, including the Housing Authority, which did so in 78 cases. We speculate they do this because there is a claim of nonpayment of rent (and the ten-day notice is given), but a further claim for some other kind of breach of the lease, for example, infliction of damage to the premises, an unauthorized person living in the dwelling, or creating a disturbance.

Court Outcomes.

The claims that were the subject of the previous section are then disposed of in the court proceedings. The hearing of the case and the decision of the Magistrate has many steps

and intricacies, but here we will offer a summary of three main outcomes: continuances, dismissals, and the judgment of the court.

Continuances. A continuance is simply a postponement. As such, it is only a provisional outcome, postponing the dismissal or judgment that will constitute the final outcome – although as we will see, there are circumstances in which the continuance is for practical purposes the final outcome.

The Order form, Item 3 in Appendix A, is the court document on which a continuance (or certain kinds of dismissal, to be discussed below) is formally granted. As seen in the continuance section of the form, a continuance is granted by the court on the motion of one or both of the parties or on the court’s own motion, or for some other reason.

We found that most continuances are granted on the motion of the Plaintiff landlord or of the court. This is somewhat counterintuitive, because it was the landlord who initiated the proceeding and presumably would want to see it go forward. The Defendant tenant, on the other hand, may well wish to postpone the hearing. They’ve been hauled into court against their will, and have an interest in delay – perhaps for delay’s sake but also for some compelling reasons. The tenant hasn’t yet had the opportunity to consult a lawyer. They need time to raise the money to pay off the back rent and, in this way, to prevent an eviction. Or, they don’t have the money but need the time to find a new, more affordable place to live and to move in an orderly fashion – without the lash of the sheriff’s deputy behind them. But precisely because of this obvious interest of the tenant to delay, we speculate the court is reluctant to grant tenants’ motions for continuances freely, and the court rules support this view. Sometimes, the landlord and tenant will confer before the hearing and agree on a continuance and, in this situation, it will often be the landlord to present the proposal in court. In any case, it seems that even when persuasive reasons exist, the court prefers to frame the continuance as a motion of the court or to seek the Plaintiff’s agreement.

Three hundred forty-two continuances were granted. Some cases had multiple continuances, with a total of 246 cases having at least one and 96 others having two or three. Figure 30 shows the distribution of continuances by the originator of the motion.

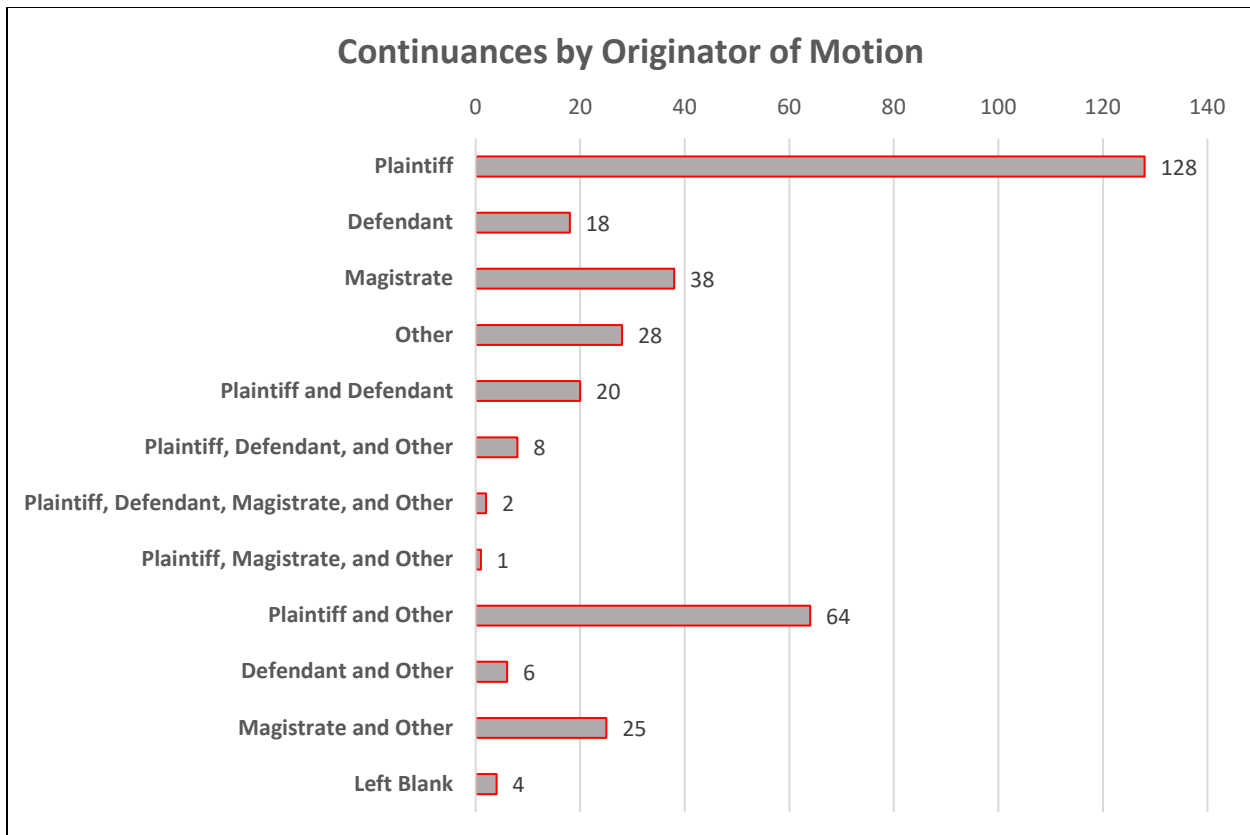


Figure 30 - Continuances by Originator of Motion (Source: CHCS)

The checking of the boxes in this context seemed to us somewhat haphazard. It was less a formal motion proceeding and more an attempt to capture what are inevitably unique courtroom developments. Were the Plaintiff and Defendant in agreement? Was the Plaintiff acquiescing in the court’s assessment of the situation? Or did the Plaintiff hope to gain from the continuance – for example, to get the rent paid up? The multiplicity of different motion types in Figure 30 reflects this effort to shoehorn into four categories the minute-to-minute drama of small claims practice.

This view is bolstered by the Magistrates’ handwritten notes, which often appear in the white space to the right of the four boxes – either to explain “other” or simply because the four categories don’t quite account for the facts. Some examples:

- “Said they have an agreement to settle upon but need time”
- “Defendant made partial payment”
- “Legal Aid retained, request for cont., Defendant not present”
- “Bring in rental assistance paperwork”
- “Need to present rental assistance”

- “Interpreter requested: Swahili”
- “Medical issue”
- “Legal counsel retained and requested time to speak with Plaintiff”
- “Payment Plan”
- “Defendant may have COVID”
- “Legal Aid and HPHA agree to continuance. Defendant in hospital for C-section”
- “Time to work out possible credits for disability”

Most of these imply agreement of the parties to continue the case, but in these situations, we found no pattern as to the boxes checked: it could be 1, 2, 3, or 4 or any combination of the four. But certainly, these notations give a vivid impression of the various kinds of real-world circumstances giving rise to continuances.²

We looked at the final outcome of cases that had continuances. We asked, did the tenant use the extra time productively, to come up with the rent money or otherwise to resolve the problem, or did they simply delay the inevitable? We will discuss the various kinds of dismissals and final judgments in the next sections, but we’ll touch on some of them here. The outcomes, shown in Figure 31, suggest that the tenants did in fact use the time productively in many cases, with voluntary dismissals or judgments for the tenant in 114 cases. But in the majority of cases, the landlord ultimately got a judgment in their favor.

Some cases have outcomes unknown, presumably because the matter was resolved in the interim and the parties never returned to court. Voluntary dismissal indicates the matter was resolved and the landlord *did* formally file to end the case. Most of the cases proceeded to final judgment for the landlord or, less frequently, for the tenant. Other cases have more than one outcome, for example an Order of Possession and a money judgment.

² A notation that appears frequently is “SCRA” or “SCRA not accepted.” This refers to the Servicemembers Civil Relief Act, which we have not discussed here. In cases where the defendant is not present, before judgment can be entered, the plaintiff must file an affidavit showing that the defendant is not in military service and for that reason unable to appear. Sometimes the affidavit is missing or is defective, and the magistrate will continue the matter so that the landlord can remedy the problem.

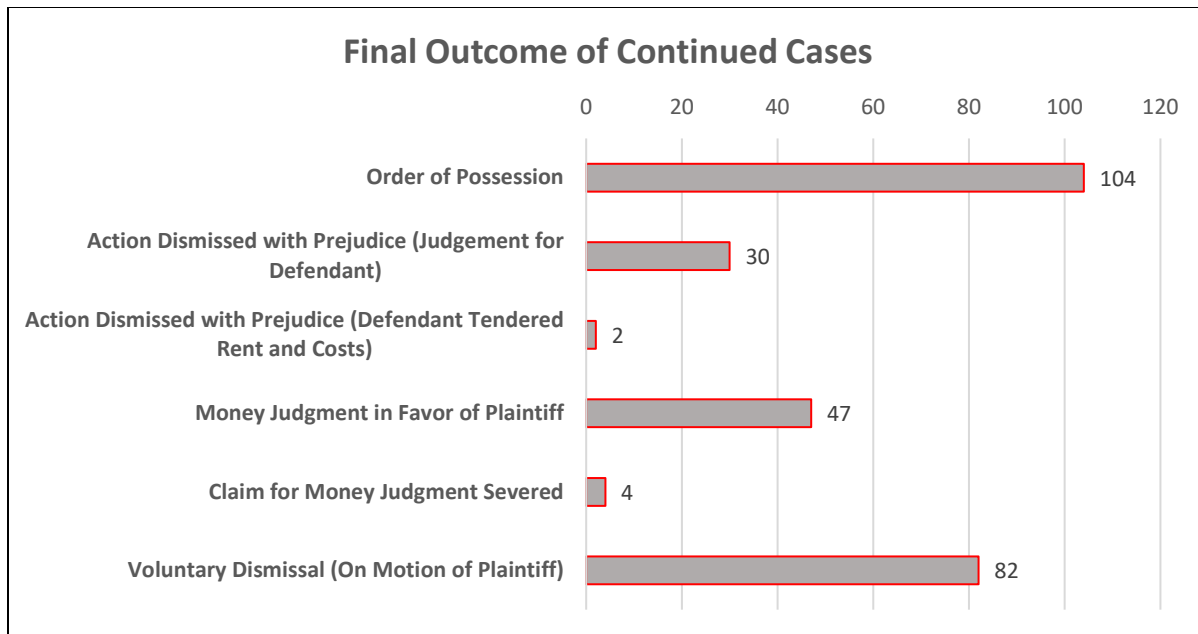


Figure 31 - Final Outcome of Continued Cases (Source: CHCS)

Dismissals. A case may be dismissed, ending the eviction case, through two distinct kinds of court actions. One is via the Order form shown in Item 3 in Appendix A, which allows the court to dismiss the action without addressing the merits of the case. Alternatively, the Notice of Voluntary Dismissal, Item 2 in Appendix A, is used by the Plaintiff to terminate the case voluntarily, without any action of the Magistrate. One is framed as an order issued by the court at the end of the hearing, the other is a notice filed by the Plaintiff prior to the hearing ever happening.

Figure 32 shows the 1,149 cases that were dismissed either by the landlord, or by the court at the hearing. The “voluntary dismissal” category, via Notice of Voluntary Dismissal filed by the Plaintiff, is the biggest, with 682 cases. This makes sense, in light of two key points we have made about the evolution of an eviction case: One, the continuances buy time to get the case resolved. If it’s resolved to the landlord’s satisfaction, they will cancel the eviction. Two, we have described the practice of serial eviction filing and other approaches to eviction in which removal of the tenant is not necessarily the main objective. In cases where collection of rent – and disciplining of the tenant – are the objectives, the landlord will cancel the eviction as soon as the rent is collected. In both cases, this is the mechanism they use. Similarly, this is the mechanism the landlord might use if, rather than pay the amounts owed, the tenant instead vacates the premises. Here, too, the landlord might well dismiss the case.

Orders of dismissal are somewhat less common, but most of these – 287 cases – result from similar circumstances to those discussed in the preceding paragraph in reference to voluntary dismissal. Here again, if the case is resolved to the landlord’s satisfaction the tenant either pays up or vacates – they will cancel the eviction, but in this instance, the hearing has already begun. To cancel the eviction in the court setting, the Plaintiff will agree not to prosecute, and the court will dismiss the case.

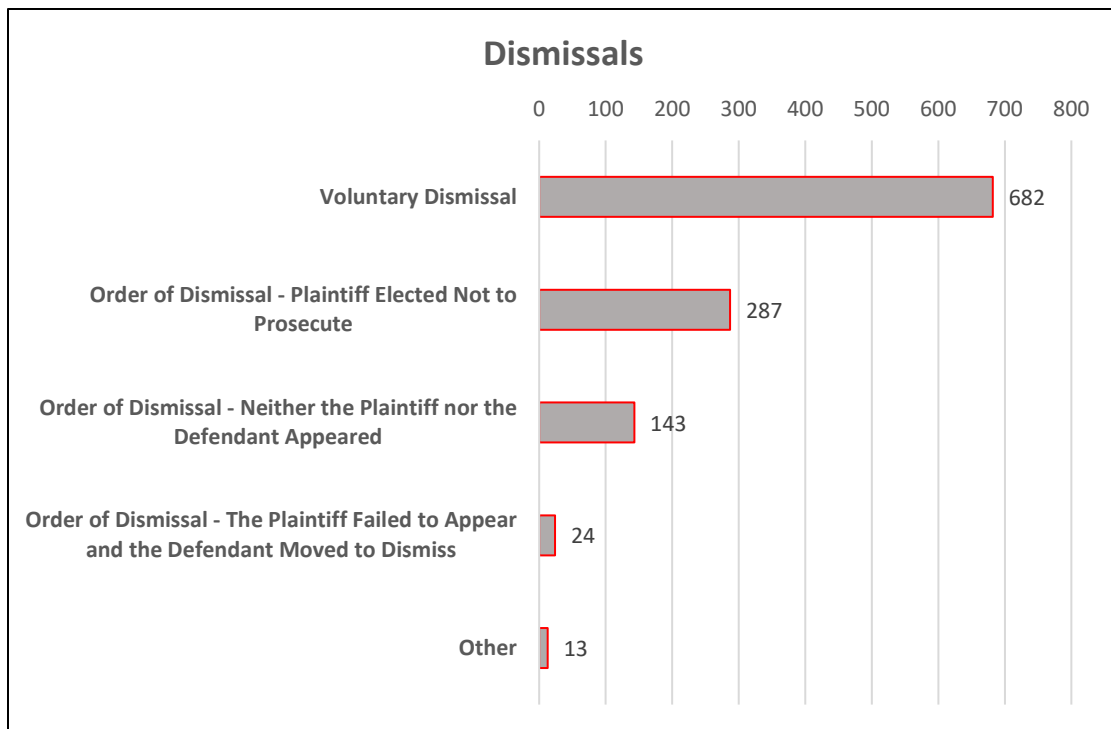


Figure 32 - Dismissals (Source: CHCS)

The 143 cases dismissed on the basis that nobody showed up, is yet another situation where the case has been resolved to the landlord’s satisfaction, but here, the landlord didn’t bother to file a dismissal. In this case, the court will order the dismissal.

A final point about dismissals: we mentioned dismissals in our discussion of continuances. Then in this section we described the kinds of dismissals that are effected by a Notice of Voluntary Dismissal and Orders of Dismissal. Now, in the next section on Judgments, we will describe yet two more dismissal scenarios – one, for various kinds of dismissal on the substantive merits of the case, and two, where the Judgment form rather than the Notice of Voluntary Dismissal Form is used to reflect a Plaintiff’s voluntary motion to dismiss.

Judgments. Item 4 of Appendix A is the form of Judgment in Action for Summary Ejectment. This is where the court makes its final determination of the case, whether for the Plaintiff or for the Defendant. The form is complex, with numerous boxes to check

and blanks to fill in, covering a dizzying variety of outcomes. We will focus on some of the most common ones.

In navigating the Judgment form, it helps to recall one important feature of an North Carolina eviction case: it encompasses two distinct claims, a claim for possession of the premises, and a claim for money owed. These two are often conflated, and for good reason: it's natural to think of this as a case where the tenant is behind in the rent, and therefore they must pay the rent, and if they don't (and sometimes even if they do), they must vacate the premises. But they are distinct claims with different factual predicates and different legal and even constitutional characteristics. This is important because the form of judgment expects the court to make findings, and issue orders, on both claims. The form is divided into two main sections, one for findings, and one for orders.

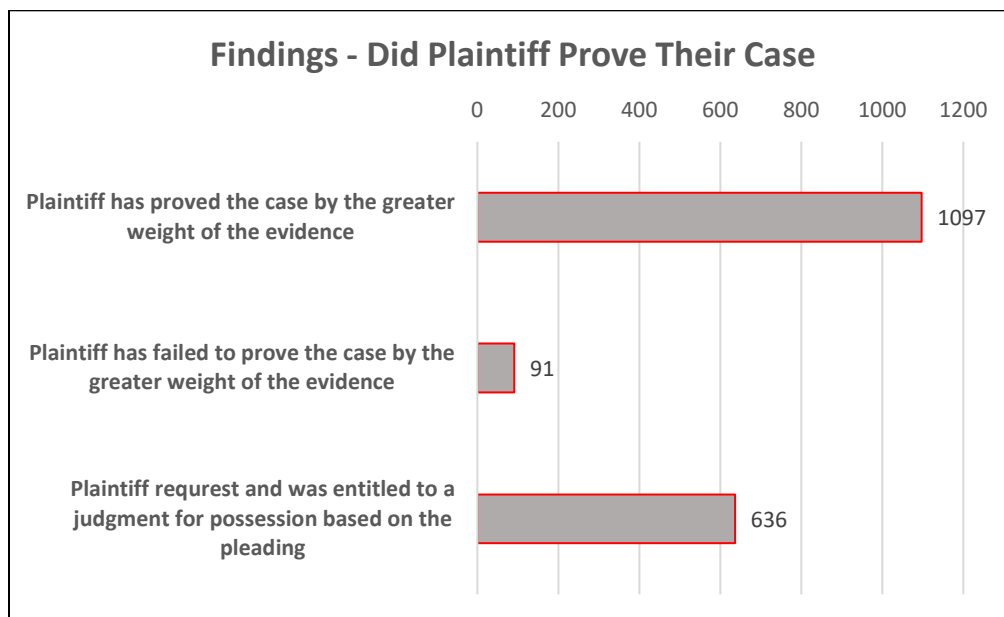


Figure 33 - Findings - Did Plaintiff Prove Their Case (Source: CHCS)

The chart in Figure 33 shows the number of cases in each of the three categories of Item 2 of the form of Judgment. These concern the basic factual questions: does the court have jurisdiction, was there a landlord-tenant relationship, did the tenant breach the lease, does the landlord have the right to reenter the premises? The landlord wins in items (a) and (c) for a total of 1,733 cases: Either the landlord presented enough evidence to prove the case, or the Defendant didn't appear or didn't present any evidence and the court gave judgment "on the pleadings" – a kind of summary judgment. In only 91 cases did the Plaintiff lose on the merits.

Item 3 of the Findings section is concerned with proof of the dollar amount of rent in arrears. We aren't presenting a count of these findings; in an earlier section we discussed at length the amounts claimed in eviction cases. But we'll mention that for the purposes of this section of the judgement, in the vast majority of cases there is no dispute as to the amount of rent in arrears. In those cases where a dispute exists, item (b) of this section sets forth the amount of the undisputed portion.

This brings us to the section of the judgment form for "Orders." There are six choices (plus a seventh for awarding of costs). What follows is an account of the various orders a Magistrate issued in the eviction cases we have studied.

But here a word of caution is in order. The sheer number of different outcomes might itself lend a daunting complexity to this subject, but there are numerous additional factors to take into consideration. Complexity, inaccuracy, and inconsistency render the calculations that follow useful, but possibly unreliable. The factors are these:

- A case may have more than one box checked.
- The bifurcation of the case between summary ejection and money owed becomes especially important, because where the two claims exist, an order must be issued as to each claim
- The form issued by the Administrative Office of the Courts is inadequate to accommodate the situations that arise. In particular, Order Box 2, "this action be dismissed with prejudice," is defective in two respects. One, it does not provide for a dismissal *without* prejudice, which seems to be the more common outcome, and two, it does not provide for dismissal of one of the two claims and not the other.
- Consequently, the Magistrates improvise with written notations, but they do so inconsistently. To cite the most frequent case, if a claim is dismissed without prejudice as to monetary claims only (a common occurrence where the Defendant had been served by posting and does not appear in court, thus depriving the court of the type of personal jurisdiction needed to adjudicate a money owed claim), the Magistrate might write next to Box 2 "without" and "as to monetary claims only," or the Magistrate might pass Box 2 and write this part of the order in Box 6 (Other).
- Moreover, a second version of the Judgment form is in common usage which has printed next to Box 6 an option for "the claim for monetary damages is dismissed without prejudice."

→ Finally, occasionally boxes are left unchecked or mutually contradictory options are checked. We have omitted from this count fewer than ten of such nonsensical cases for clarity.

Figure 34 shows two alternative examples of the order dismissing monetary claims without prejudice. Among several other awkward calculations, we had to estimate the number of “Box 2” dismissals that were with prejudice or concerned summary ejectment claims.

It is ORDERED that:

1. the defendant(s) be removed from and the plaintiff be put in possession of the premises described in the complaint.

2. this action be dismissed with prejudice. *out monetary claims only*

3. this action be dismissed with prejudice because the defendant(s) tendered the rent due and the court costs of this action.

4. the plaintiff recover rent of the defendant(s) in the amount and at the rate listed below, plus other damages in the amount indicated. The plaintiff is also entitled to interest on the total principal sum from this date until the judgment is paid.

5. at the request of the plaintiff, the claim for money damages is severed from the claim for possession and is not determined by this Judgment.

6. other: (specify)

7. costs of this action are taxed to the plaintiff. defendant(s).

BY *B* GUILFORD CO. 2023 JUL 28 FILED

It is ORDERED that:

1. the defendant(s) be removed from and the plaintiff be put in possession of the premises described in the complaint.

2. this action be dismissed with prejudice.

3. this action be dismissed with prejudice because the defendant(s) tendered the rent due and the court costs of this action.

4. the plaintiff recover rent of the defendant(s) in the amount and at the rate listed below, plus other damages in the amount indicated. The plaintiff is also entitled to interest on the total principal sum from this date until the judgment is paid.

5. at the request of the plaintiff, the claim for money damages is severed from the claim for possession and is not determined by this Judgment.

6. other: (specify)

a. the claim for monetary damages is dismissed without prejudice.

b. (other):

7. costs of this action are taxed to the plaintiff. defendant(s).

BY *DK* GUILFORD CO., C.S.C. 2023 MAY 23 P 12 FILED

Figure 34 - Dismissal as to Monetary Claims (Source; CHCS)

With these caveats, we present an estimate of the number of orders in Figure 35. The Orders of Possession that we discussed in previous sections of the report relate to possession of the premises, not money owed, and are reflected in various categories in the chart. Thus, we estimate that a total of 1,711 cases resulted in Orders of Possession (the total of the six lines that include Box 1). Of these, 477 had no other orders, likely because the Plaintiff asserted only the one claim for possession to begin with; with the remainder paired with an order either granting, dismissing, or severing monetary claims. In 495 cases (the eighth line), Boxes 1 and 4 were checked, indicating judgment in favor of the landlord on both claims. In 26 cases, the claim for possession was rejected but a money judgment was awarded.



Figure 35 - Orders (Source: CHCS)

Days to Judgment. We have described the variety of outcomes that a case can have. One remaining question is, how long does all of this take? As noted above in Part I, a hearing date may be no more than two days after service of the summons and complaint on the tenant, but typically happens in a week or two. Our data reveal that for cases that result in the issuance of a Judgment in Action for Summary Ejectment, the average number of days from the date of filing to the date of the Judgment is 14.85 days.

Of these, 82% are decided in fifteen days or fewer; 78% between ten and fifteen days; and only 2% take seven or fewer days.

Legal Representation.

The asymmetry of power and advantage on display in the eviction proceedings in North Carolina courts is owing to several important factors: the summary process that allows

the landlord to gain possession in a matter of days; the fact that the landlord’s malfeasance is not a defense to payment; the ability of the landlord to enlist law enforcement to remove the tenant; the violence of the padlocking and dispossession itself; and the fact that, with severe shortfalls in affordable housing, safety net support, and economic opportunity, the tenants actually are often late with the rent and therefore liable to be evicted. One important additional factor is that landlords usually are, and tenants usually are not, represented by counsel.

The court records do not reliably disclose whether tenants are represented in particular cases. The only indicator in the record is the box in the Complaint and again in the Judgment for “Name and Address of Defendant’s Attorney.” This is usually left blank, but reliance on this box alone would lead to an undercount, because the Plaintiff when filling out the Complaint would not know whether the Defendant would be represented, and because even at the Judgment stage a Legal Aid or other attorney might appear at some stage before, during, or after the hearing, without this being noted in writing by the Magistrate. Nevertheless, we present in Figure 36 the data strictly from the court record.

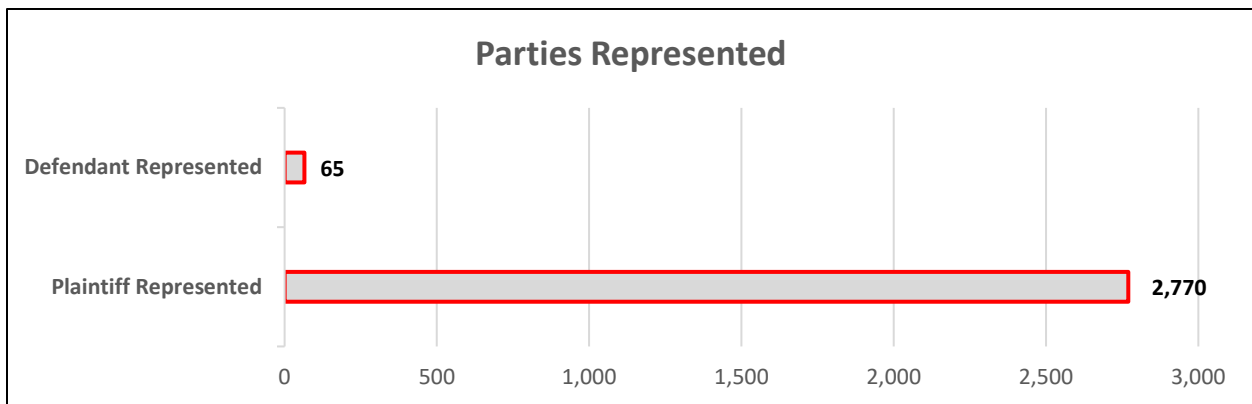


Figure 36 - Parties Represented (Source: CHCS)

People in crisis, who face the imminent loss of shelter and the prospect of homelessness for themselves and their families, who have little knowledge or understanding of court language and procedures, in courtrooms where custom, and crowded caseloads, exert pressure to process cases quickly, assembly-line style, venture into the lion’s den with no one to advise them or to advocate for them. It is, as we have learned in this study and in our broader legal needs assessment research, a nightmare. We also know (and the TEAM Project which operates in the High Point courthouse takes this as one of its fundamental principles), that when tenants are represented, they experience better legal outcomes.

Next, we will explore briefly an aspect of Plaintiff’s representation that we have alluded to in earlier sections: the role of large eviction law firms. Two leading eviction firms with prominent roles in the High Point courthouse are Loebsock & Brownlee, PLLC, and Wade & Kaplan, PLLC. Loebsock handled 645 cases in High Point in 2023, Wade & Kaplan 248, for a total of 893 cases, or 27% of all High Point cases. Loebsock represented some of the large High Point landlords including Cloister Foxfire, Copper Mill Village, QPG Ambassador Apartments, Jamestown Manor, and Westwood Heights. Wade & Kaplan represented Forest Edge Townhomes, Gate City Property Management, and others.

We analyzed their cases in terms of two key factors: one, whether they tend to file evictions over small amounts owed, and whether their cases result in Orders of Possession. See Figure 37. These two factors are of interest because they relate to the issues of hair-trigger and serial filing that we have discussed in previous sections of this report. The role of large law firms is itself of interest because they tend to promote what we have thought of as the automation of eviction filing. We don’t have much insight into the strategies of these particular firms, although we have heard anecdotal reports of some of the firms’ preferences for volume and standardization over hands-on litigating or individual tailoring of cases.

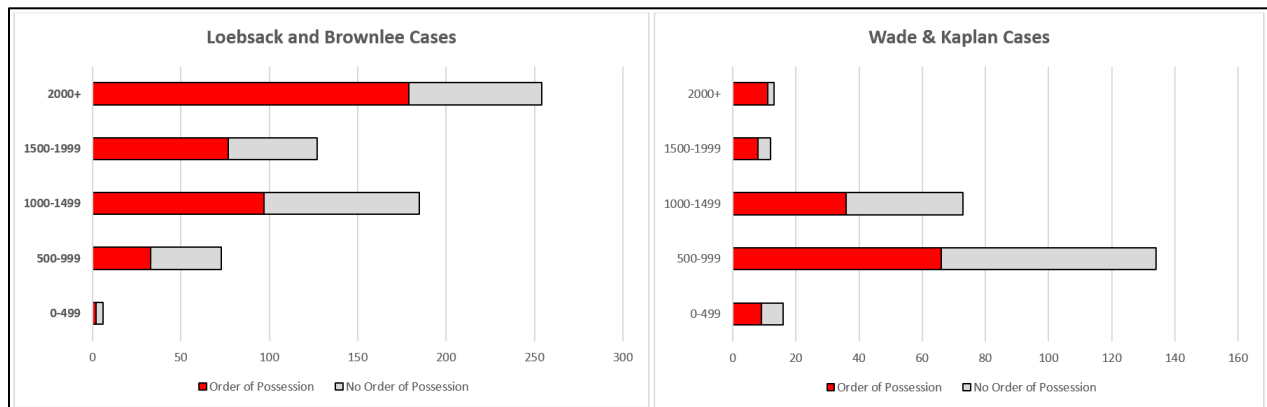


Figure 37 - Cases by Law Firm (Source: CHCS)

We don’t draw any definitive conclusions from the graphs in Figure 37, but we see notable contrasts. First, the Loebsock & Brownlee cases have dollar amounts higher than those of Wade & Kaplan. The rent levels don’t appear to be materially different between the two client groups, though our information is limited, but if the rent levels are comparable, we would suspect that the Wade approach uses an earlier trigger for eviction filings. Second, about 60% of the Loebsock cases result in Orders of Possession, and a little over 52% of the Wade cases. In this report, we’ve used “Percent Orders of Possession” (otherwise

known as a “Displacement Rate”) as a rough indicator of eviction strategy: a higher percentage suggests a goal of removing tenants, while a lower percentage suggests a goal of collecting rent – a hallmark of serial eviction. An overall 52% Displacement Rate for all 2023 High Point cases would place the Wade firm squarely in the middle and the Loeb sack firm winning a moderately higher percentage of Orders of Possession.

Appeals.

Throughout this report, to this point, the discussion has focused on events occurring from the filing of a Complaint in Summary Ejectment until the issuance of a Judgment in Action for Summary Ejectment. Events occurring beyond the date of the Judgment are outside the scope of this study. However, we will mention several aspects of summary ejectment procedure post-judgment. Most importantly, we reiterate that the issuance of an Order of Possession does not necessarily result in an actual dispossession of the tenant. The court records don’t indicate this final outcome one way or another, so they can’t be quantified in this report.

The issuance of the Judgment by the Magistrate starts a ten-day appeal period. That is, the losing party, usually the Defendant tenant, has ten days to give notice that they appeal the Judgment to the District Court. During that time, and after it if the appeal is noticed, no further action may be taken to remove the tenant from the subject premises. If no appeal is taken, then at the end of the ten-day period the Plaintiff may return to court and ask the Clerk for a Writ of Possession. The Plaintiff has ninety days from the issuance of the Writ to request the Sheriff’s office to execute it, padlock the home, and remove the tenant from the premises. But if, during the ten-day period, the tenant tenders payment in full of all unpaid rent, fees, and court costs charged to them, no Writ may issue and the case is dismissed. (There are exceptions to this general rule.)

Our study did not extend to the appeals and we cannot address here the number of cases appealed, or the grounds for the appeal, or the outcome. Neither the regular batches of digital case records that we received, nor our manual review of so-called missing cases, resulted in a reliably complete identification of appealed cases, and we were not able, in the time allotted, to establish with the Clerk’s office an effective method for searching District Court records. This is an area for further research.

From our spot reviews of district court files, however, and our interviews with lawyers and other court personnel, we learned much about the appeal process. First, there don’t

have to be – and usually there are not – trial errors or other legal issues to litigate on appeal. Rather, the form is one of trial *de novo*. As a consequence of simply going over the same ground again, most appeals promptly affirm the result in the Magistrate’s court. Others are dismissed for failure of the Defendant to appear – an indication that the appeal might never have been about relitigating the issues in the case. Another case was decided for the landlord after the Defendant admitted in court their failure to pay rent – something tenants should not do but often do.

Second, and following from the first, the appeal is mainly a way to gain time for the tenant – to work out a settlement with the landlord or to relocate in an orderly fashion. Third, as a way to buy time, it holds little appeal for the tenant, because to perfect an appeal, the tenant must pay, and continue to pay, all rent and fees when due. Finally, the amount of time gained is much less in High Point than in Greensboro, with District Court backlogs taking about a month in High Point and as much as six months in Greensboro.

PART III – THE EXPERIENCE OF EVICTION

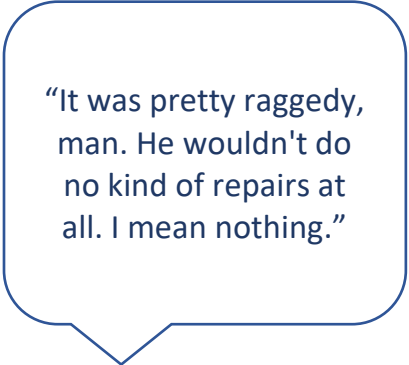
Part II of this report sets forth our analysis of the quantitative data acquired through our review of court records. This data illuminates many aspects of eviction in High Point in 2023, including how many evictions there were, where in the city they occurred, and by whom, and what were the outcomes of the cases. In this Part III, we will present our qualitative research findings. We conducted a series of semi-structured, in-depth interviews with tenants who have been evicted in High Point, governmental and nonprofit leaders whose work brings them into contact with evictions and their consequences, and lawyers, social workers, and housing advocates who work on eviction cases in the small claims court.

The interviews together make up a small sample – not necessarily representative but revealing. They allow us to look behind the numbers for insights into the human experience of eviction, and we believe the mixed method approach, integrating elements of quantitative and qualitative research, points us to perspectives that neither method alone could achieve.

The Tenants.

The court records often contain the telephone numbers of tenants who are sued in small claims court for summary ejectment. We simply called down the list until we reached a tenant willing to discuss their experience with us. The researchers were mindful that the interviews would delve into painful and private subjects, and assured the tenants that their participation would be completely voluntary, that they were entitled to decline to answer any question, and that in our reporting, we would not attribute any statements to them by name or disclose any personally identifying information.

Housing Conditions. The court records indicate that nonpayment of rent is the main driver of eviction. That is, to be sure, the proximate cause of the litigation in most cases, but in the background are a complex of housing pathologies and conflicts that rarely receive much airing in court. Tenants contend with bad living conditions, for example. This isn't a defense to nonpayment, unfortunately, and bringing a counterclaim based on the condition of the dwelling is difficult, so tenants are often frustrated. "The living environment was really poor," said one. "We didn't get maintenance work that was needed to be done."



"It was pretty raggedy, man. He wouldn't do no kind of repairs at all. I mean nothing."

"It was pretty raggedy, man," said another. "He wouldn't do no kind of repairs at all. I mean nothing." Said a third, "Nothing was ever fixed, no insulation, no heat, no air, holes in the floor, holes in the roof." Another said, "I lived there for six years. I struggled with trying to get them to fix anything." And, added one tenant, the repairs when they were made were merely cosmetic. "They didn't do nothing but paint over," said one. "That's not a repair."

One after another, the tenants told us that needed maintenance and repairs weren't getting done. Speaking of his landlord, one tenant told us, "She didn't want to fix the problems. We had to go without using our bathroom for two weeks at a time because she wouldn't fix the pipelines under the house. We could not cook, wash dishes, wash clothes or nothing." One person said the water was brown. "You couldn't drink it," he said. "We bought store water to drink, yeah. We'd just use it to wash with it, something like that."

If it wasn't the plumbing, it was the wiring. "They wouldn't fix anything," one tenant told us, "wouldn't do anything to help. I told them within the first six months that there was a problem with the electrical. That did not get remedied." Or it was pests. "I struggled with trying to get them to fix anything," said one person. "They would never come out to fumigate so it was like roach infested."

Poor conditions translate into high utility bills for some. "They finally – it took forever – fixed a leak downstairs," one person said, "and we were having, both myself and the people that lived downstairs before *they* got evicted, we're having huge, huge bills, water bills, over three hundred dollars, almost four." Said another, "When we first moved into the place the water heater was leaking really bad. My utility bill shot up from one hundred to four hundred." And poor conditions can translate into health hazards. "The whole time we lived there, my breathing got bad because it's got asbestos insulation."

One tenant pointed out a dilemma faced by tenants – they worry that if they complain, the landlord will retaliate. Said one person, "It seemed like she constantly was threatening

"If I would've called the city to go in there, they would've condemned the place and then I would've been out of a place to stay."

us with eviction, every time we asked her to repair something." They worry that if they call the city to register a code enforcement complaint, the solution might be worse than the problem. "If I would've called the city to go in there," he said, "they would've condemned the place and then I would've been out of a place to stay." Said another, "I've done everything I can to report her and get her to at least have to do what she's supposed to do for her tenants, 'cause I don't want


another family to go through what my family went through. But it seems like everything I do, they say that we can only do this and that we cannot put her out of business or we cannot do this or that. I just gave up."

Another tenant actually *was* retaliated against for complaining about the conditions in the unit. "She served us papers before we were even late because we were asking them to fix the problem," this person told us. "She began calling us a nuisance because we were paying \$975 a month and I feel we should have been able to walk in the bathroom without feeling the floor going out from under us."

"If it's not one of their nicer properties," observed one tenant, expressing the predicament of a low-income renter, "they don't care." Said another, "It seems like they're only fixing the apartments after they get people out of them."

Dealing With Landlords. In these stories of bad housing conditions and repairs not made, the landlord - tenant relationships seemed quite adversarial, but some tenants had good relationships with their landlords. “I know the people that does keep up the apartment,” said one tenant. “They're the managers now, and they're really good, they work with you.” Another tenant had a similar experience and noted the fact that this was a local owner with roots in the community. “It's a family owned business,” she said. “They're not a corporation. They are based here in High Point. They're very easy to talk to. Like I said, I've been renting from them for a very long time. They're very easy to talk to.” Another tenant described in similar terms her personal relationship with her landlord. “My first landlord was awesome. On months where I was a little behind, she didn't worry about the late fee or trying to take me to court. She worked with me. I had her for about two years.” These relationships – almost like friends or family – can be unpredictable or emotional. “He was easy to talk to sometimes,” one person said, “and sometimes they didn't want to hear it.” And another expressed the frustration that can come from this kind of friendly but adversarial relationship. “I was still paying other bills,” she said, “trying to get caught up on things, it was very stressful, and I thought we had an understanding, a friendly, basic relationship.”

Tenants try to do their best, but these relationships are hard to navigate at the best of times, and all the harder when life gets in the way. Said one tenant, “I always would let them know, hey, why I was being late, like if my car broke down or if I was out of work because of some sort of medical emergency and my check wasn't gonna cover it or something like that. With the pandemic and everything, you'd think they'd be more understanding, but no.”



“They done sold the apartment two times since I've been here, so I don't know the landlord.”

Personal, local relationships, good ones and bad ones, were once the norm, but as management shifts increasingly to large corporate owners and property management firms, tenants are left with less recourse. “I don't know the landlord,” one tenant said, describing a situation we heard several times. “They done sold the apartment two times since I've been here, so I don't know the landlord.” The tenant ends up in a worse position. Said one, “I was coming from a private owner that was able to work with me to an actual corporate company.” Another tenant said the same. “It was like a bigger corporation, like I just felt like they really didn't care.” Another told us that even for something important, the landlord wouldn't work with

them. “It was hard to get in touch with them, especially if you were trying to get them to do something. If you were trying to make a payment arrangement or something, you couldn't get them on the phone.”

Sometimes, the result is eviction. One person had been the tenant of a family member when the house was sold out from under her. “We had to get out of the house then,” she said, “because family members were very selfish and they had the house sold, and that's how I got into being thrown out of the family's home because all the siblings didn't want

“Some of them try to take you to court every month, and that's extra money, 'cause you got to pay \$100 in court fees, I think it is, court cost, it's a hundred and something dollars now that you have to pay extra, on top of your rent.”

me there. They just wanted to sell the property.” Another sale we heard about resulted in an eviction. “She then sold the property to a realtor company, and that's when I got the eviction process.”

These stories illustrate some of the varieties of landlord – tenant relationships, and some of the social forces that are altering the relationships and making life harder for tenants. But sometimes, it's just the same old story of predation and abuse. “It was slumlords,” said one person. “The company we were renting through was slumlords.” Said another, “I had two different ones. First it was with the first

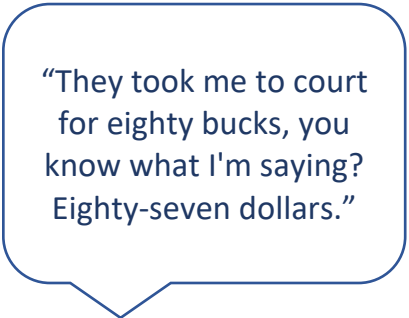
people that I had rented through and then they sold the property to another company and they were still slumlords, so yeah, that didn't help much.” And a third person, who had to vacate the home, said good riddance. “To be honest, I had like literally a slumlord so I was kind of glad I got evicted.”

Serial Eviction. Some tenants we spoke to described being on the receiving end of a serial eviction system. Said one person, “It's understood that after usually I guess after the 11th or right in there the 15th, if it's not paid, then they'll file.” Said another, “He taken me to eviction like three times and I'd get everything paid off and then he'd take me back again.” Another tenant said, “We had 10 days to comply, and every time I'd give them the money, ‘Okay. You can stay.’”

Said a third, “It ain't the first time I've been taken to court.” The landlords file evictions over a few late days or trivial dollar amounts, but for the tenants the consequences are not trivial. “The rental agency, if you were behind, if you were like three days behind in rent they would – so that happened several times and now I can't rent anything.”

One tenant offered a critique of the serial eviction system. “I think that they should at least wait two to three months before they start taking people to court,” she said. “Some of them try to take you to court every month, and that’s extra money, ‘cause you got to pay \$100 in court fees, I think it is, court cost, it’s a hundred and something dollars now that you have to pay extra, on top of your rent. They should wait. But I get it if you sitting there not paying your rent two months, three months, I get it, but one month, they should wait till the next month and see if you pay it. That’s just my issue.”

Researchers have identified as one of the drivers of serial eviction the mismatch between bi-monthly wage payment dates and rent due dates. One tenant we spoke to seemed to have fallen into this trap. “This is my second time. I guess with the realty companies, I have to understand that I have to just know how to manage my money as far as pay rent first and then the second check



“They took me to court for eighty bucks, you know what I’m saying? Eighty-seven dollars.”

do my car payment and stuff. I have everything trying to come out my first paycheck, so I try to organize it the best way that I know how. But I had recently just got court papers for the month of May, but I end up paying up on May, but they still continued it, because the court date was this past Tuesday, and technically June is now due.”

What Went Wrong. We asked the tenants to tell us what happened that led to the eviction. Nonpayment was the usual response. One said, “Just not having enough money to pay the rent.” Another said, “I was late with rent and they took me to court.”

And, once a tenant gets into the nonpayment trap, it’s hard to get out. One told us, “Oh, because I stopped paying. I was behind on some payments that I paid up and they still evicted me.” Another said, “They took me to court for eighty bucks, you know what I’m saying? Eighty-seven dollars.”

In this economy, where housing is less affordable than ever, nonpayment isn’t rare, and many renters are just one layoff, one medical emergency, one car accident away from eviction. “I was in a crisis of, I had lost my job, out of work,” one tenant told us, “but once I start to give the money to catch up on things, like they really didn’t want to accept what I was giving them, they wanted me to pay everything in full. I wasn’t able to pay everything in full. I was still paying other bills, trying to get caught up on things. It was very stressful.” Another said, “I got behind, my roommate moved out, I had gotten Corona or COVID, and so she moved out and I wasn’t able to find another roommate, so I got behind on rent.” COVID was mentioned more than once. Another person told us, “At the time I was in the

hospital, I had COVID, and I had to be hospitalized. I was in the hospital almost a month and I didn't have nobody to go pay my rent. And they didn't know because I was unable to talk, I was so sick, I was unable to talk on the phone."

Said another person, "I had literally just had a baby. I wasn't working. My job did pay me for a certain amount of weeks, but I didn't go back to work because I was going through postpartum really bad. It got me behind on my rent, and I tried to explain I can make payments here and there, but they wasn't trying to work with me."

"Just depression and I'm in severely ill health and I mean just moving is going to be hell, and I have to use my full check to rent a vehicle and a tow thing to tow my van."

Beside nonpayment, other lease violations led to eviction. "He said that I broke his hot water heater," one tenant told us. Said another, "She was trying to get us for like, I believe it was three grand for having the dog in the home and saying the dog caused damages."

The experience of evictions is traumatic. "This incident has caused me a lot of mental anguish," said one person, "and extreme stress that I don't need. I have never in my life been in a situation like this before." Another said, "I have suffered physically, mentally, monetarily from this." One person told us she dreaded having to move. "Just depression and I'm in severely ill health and I mean just moving is going to be hell, and I have to use my full check to rent a vehicle and a tow thing to tow my van – and my friend's like, 'Are you sure you're even gonna make it up here?' I'm like, 'I'm gonna have to try.'"


In Court. Navigating civil court proceedings is stressful and confusing for Defendants facing severe sanctions and penalties and lacking knowledge of legal language and procedures. Eviction court – with its massive caseloads, the pressure to process cases, rules that advantage landlords, and Defendants facing the loss of the roof over their and their children's heads – is even worse. (See, generally, Fleming-Klink, et al, 2023.) We asked the tenants to tell us what it was like.

The first thing we heard was how quickly it all happens. "They told me when I signed the papers that there was a five day grace period," one tenant told us. "But as soon as the third day pops up, there they were, handing papers, or having the police come over and hand papers." Another tenant had a similar experience, with grace periods disregarded, and suddenly the Sheriff's deputies appear, with their aura of intimidation and authority. "They told me that I had to make a payment by such and such date of the full amount,"

she said, “and I advised them I didn’t have it. They gave me like maybe a week before they actually filed it. And then they emailed me and said they filed it. Then the Sheriff came back two days later, and then I had court I think about two weeks later.”

The hearing itself was dispiriting to many of the people we spoke to. Said one person, “Everybody just goes in and waits and then they get called and you tell how you feel and what’s going on. And sometimes they give you extensions, sometimes they file against you.” They came away feeling things were stacked against them. “Everything was geared more towards the property owner,” said one. “They really didn’t care what the tenant had to say.”

To be sure, some of the people we spoke to avoided dispossession – our data certainly confirms that half or more of the cases are resolved without an Order of Possession. One tenant expressed satisfaction with the outcome. “They did reach out to me,” she said. “They called me and left me a message, so I called them and told them my situation and stuff like that. And then I went to court and I paid it before I went to court and they dismissed it.” Another tenant told us, “It was fine. They called me up. People never really showed for the eviction, the property managers didn't even show up, so they threw it out of court.” A third said, “He dismissed all those claims and dismissed the rest of the case, and then the second court appearance when she took us, the judge was also very understanding, and he was respectful.” And another summed it up, “It was very stressful, but I made it through.”



“Everything was geared more towards the property owner. They really didn’t care what the tenant had to say.”

Even some who did have to leave their homes saw small mercies. “They didn't try to throw away my things,” said one. “The judge was okay. They were nice people. Those who came in were nice people. It is just that they were really strict about their rules.” Said another, “They did try to work with me probably more than any of the other people.” She was able to get an extension of time before the Sheriff came. “I went to court. They gave me, well the judge gave me an extra – ‘cause he seen that I was trying to make payments so he gave me an extra before they can officially try to get the Sheriff to possess the home, but I just knew I wasn't going to be able to pay that much in ten days, so I left.”

To make matters worse, most tenants are forced to navigate all of this without legal assistance. “I can’t afford one,” a tenant told us. “I don’t even make enough to pay rent by myself.” Said another, “No, I had no funds of hiring a lawyer, I went in alone.”

Legal Aid makes great efforts to reach as many tenants as possible, and has lawyers stationed at the courthouses. “We couldn’t afford a lawyer at the time,” explained one tenant, “but when we explained our case to Legal Aid, they said if she proceeds with any more actions to do with the eviction and the damages to the house to get in touch with them and they would’ve represented us.” Legal Aid can’t represent everyone, but they do what they can. “Legal Aid told me,” said another tenant we spoke to, “that they would give me the paperwork and I’d have to file it, and I didn’t have the money to file anything because I was sitting here paying everything else.”

After Eviction. In the immediate aftermath of an eviction, people struggle to regain their footing, starting with the chaos of the move when they risk losing their possessions. “I was able to move my things out ahead of time,” one person said. “Things was left, but I just left.” Another person found a temporary solution. “I’m gonna go up and put my stuff in storage and stay with a friend.”

“I’m probably gonna have to move home, up north.”

The options are limited. Said one tenant, “We moved in with family.” That was the plan for another person we spoke to. “I’m probably gonna have to move home,” she said, “up north.”

One person encountered the pitfalls of today’s rental market. “I started searching and everything,” she said. “As a matter of fact, I got scammed when I was searching because I ended up trying to find a place and I found one and I paid like two thousand dollars, and coming to find out, the person I gave the money to had nothing to do with the property.”

Motels are an expensive recourse. “I had to go to a motel,” one person told us, “and stay in a hotel for a little over a month till I could find a place to rent.” She added, “It’s hard finding place to rent these days.” Said another person, “We were in hotels for a while, for a few months, and then ended up moving to another county.”

The struggle can last a long time, and all the while, life happens. “I’m just trying to take it day by day, get back on my feet,” one person told us. “It’s only been about four or five months. In that time, my children’s father passed away back in April, so it’s just been, it’s just been kind of rough.”

Eviction was hard on the kids, too. One parent said, “It affected them having to change schools that they enjoyed being at.” Said another, “It was hard on them, very stressful,

really didn't understand." Said a third, "It was pretty bad. I mean, they lost their stuff too."

Gradually, we were told, people reach a level of tentative stability. "I have a stable house, but I'm still struggling," said one. "It's affordable, but it's still stressful. I don't have the high paying job that I had, therefore I don't have the income hours that I used to have." People had to make adjustments to avoid falling into the trap again. "That's the first bill I pay every month now," one said. "Whether I have enough to eat or not, that's the first bill I pay, because I'm not getting kicked out this place."

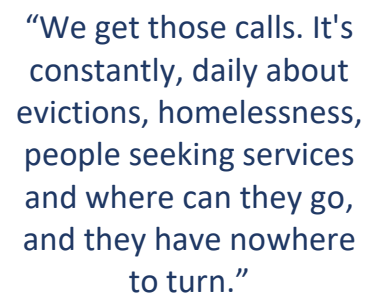
Some of the people we spoke to did eventually achieve a measure of security. "We bought an RV and live in a RV park now." Said one person. "We own the RV now and basically what our rent plus the normal bill for our lights are, is what we pay for like water and land, and we're in a much nicer area, safer." Another person found a landlord they could work with. "The people we rent from now," he said, "if we need anything, they're here. If we have any issues, it's fixed. Just the stress levels and everything has changed." Another person told us, "I'm back into my own space. I'm back working, I just literally started back working, so I'm really just now starting to be back, doing the things that I was doing prior."

But for another person, it's taking a longer time. "I still haven't caught up yet," she told us. "I'm just surviving, barely."

The Community Leaders.

Next, we spoke to leaders in the High Point community, from the city government and nonprofit sectors. They had in common a front row seat at the eviction crisis. They see the consequences every day, as people in crisis are about to be evicted or have just been evicted, and need assistance that these leaders often aren't able to provide.

We Get Calls. "We get lots of phone calls here," said one, "almost on a daily basis." Said another, "We get those calls. It's constantly, daily about evictions, homelessness, people seeking services and where can they go, and they have nowhere to turn." Said a third, "I get calls: 'If I don't get this, me and my children are gonna be out unless we pay it up tonight.' Those are the kind of things that you hear and you have families, four, six living



"We get those calls. It's constantly, daily about evictions, homelessness, people seeking services and where can they go, and they have nowhere to turn."

in a car, they've been evicted, all their stuff is outside, and that not only they're evicted, they've lost everything they own because they have nowhere to put it in.”

We were struck by the sameness of these reports, of a safety net utterly inadequate to the need. “It's been a large problem,” said one of these tireless workers, “and it continues to be. Not enough affordable housing in the Greater High Point area.”

Rents Going Up. We talked about what's causing all these evictions. Naturally, high rents were first on the list. “The landlords increased the amount of rent that people had to pay,” one person told us. Said another, “As the prices continue to increase in rent, that's gonna continue to happen, and we're gonna see those numbers continue to soar.”

But the concern was not only high rents, as such, but landlords raising the rent drastically for existing tenants, in effect forcing them out. One person told us, “You're talking people

“You're talking people paying a thousand and something dollars for something that they would've probably paid \$600 prior to COVID.”

paying a thousand and something dollars for something that they would've probably paid \$600 prior to COVID, and that's one of the things that we hear a lot from people, is that they went up on my rent by \$100 or they went up on my rent by \$200 and I can't afford to pay it, and if I can't pay it, I'm gonna be homeless.” Another said, “We get a ton of folks who come in and say, ‘I'm on fixed income, and my rent has been \$500 for a

considerable amount of time, you know, ten years, fifteen years, and it hasn't raised, and now that the pandemic moratorium on evictions was lifted, my landlord is saying it's gonna be 1,300 a month.”

The subject of regulatory limits came up again and again. One person lamented, “North Carolina does not have anything that says the landlord or the property owner can't raise your rent whenever they want to.” Another said, “Post-pandemic, is it just seemed like landlords decided sort of carte blanche, like, oh, well now I can just raise them however I want. And we have specifically no rent control of any kind.” As another person put it, “We'd like to have more properties available at affordable rates, but you can't force people to charge certain rates.” And when a rental property is sold, which apparently happens a lot, very often rent increases follow swiftly. One person explained, “People saying that they feel like they're being put out because new owners feel like they can get higher rent from other people and so they're looking for reasons to evict them.”

No More Rental Assistance. One person said, referring to one of the federal pandemic relief programs, “We actually had CARES monies, where we actually granted monies to nonprofits to help people from being evicted, and that took them out for a long period of time. But now that money is gone, pretty much.” Even then, she said, it didn’t address the underlying causes. “The problem is, if they lost their jobs and they still did not have the resources after getting some of that grant money to be able to continue to pay rent or get a better job that allowed them to pay rent.”

Now, modest amounts of assistance funding is occasionally available, but it’s inadequate. “It’s overwhelming,” one person said, “and the amounts of funds that are needed a lot of times are very high, and the amount of dollars that are available cannot meet the full need.” One of the people we spoke to described the work renters must put in just to seek help. “There's not enough assistance for everyone. They're getting in the line, so they're calling everyone they know, navigating the system as best as they can, but with no results, and then they're at their wits' end, they're at this last day now, and we're gonna be padlocked, and we're gonna be out.” Inevitably, the Sheriff closes in. “All the help was gone, so they've tried, but then they're at this day.”

Is it Worse in High Point? Evictions are high throughout the region and nationwide, but High Point has some notable disadvantages, we were told. “We do have jobs in our area,” one person said, “but a lot of the jobs are not paying a livable wage or thriving wage, so people cannot afford to stay in the homes.” Traditionally affordable homes are being bought up, said another. “Homes that people have lived in for years are being bought out by investors and the prices are going up or they have to move.”

“We have some areas that are vacant through the year that they're only used on furniture market time.”

These forces are present in other cities, to be sure, but one unique feature of High Point is the furniture market. “The markets themselves are only a weeklong,” one person commented. But in terms of the employees who come over to prepare for it, it's probably about a month in advance, so you could have only two months a year, but these are pretty wealthy individuals where if you could charge pretty exorbitant rates, you might be able to get more money from that with far less inconvenience than a monthly renter.” These units are then held off the rental market, further depressing supply. “We have some areas that are vacant through the year that they're only used on furniture market time, but you can't make owners do that. They have

the right. If they want to purchase a property and only use it for twice a year, they can do that. There's no laws against that.”

We Do What We Can Do. We heard the frustration in the voices of these workers, who devote all available resources to assist struggling renters but to little avail. “For me,” said one person, “it's just really a sad situation because it's like your hands are tied and you can't help people.” She added, “We just try to hook them up to whatever resources that are out there to help them to be able to get their rent.” One person told us, “Unfortunately, there's not a lot of programming.”

But as we probed deeper into the subject, we found there are at least *some* programs. “We do have mental health services here,” we were told. “There's places that people can get job training here in High Point, not as many places as they have in Greensboro, but there are resources here that we can actually direct people to.” Code enforcement is another important resource, because often the landlord’s failure to make needed repairs can become an issue in the eviction case. One person described a typical situation. “‘My oven doesn't work and my fridge doesn't work and the landlord won't fix it, you know, even though I'm paying rent,’ and so we serve as kind of non-legal advisors to say like,

“I don't think that a lot of people know that they can reach out to Legal Aid. They may not know how to do that and advocate for themselves as well. Before they even get to this point, a lot of them don't know that ‘maybe we should have started here earlier.’”

‘Well, okay, first off, you can go talk to our minimum housing code team because that is an instance where you have to have electricity, you have to have lights in your kitchen.’”

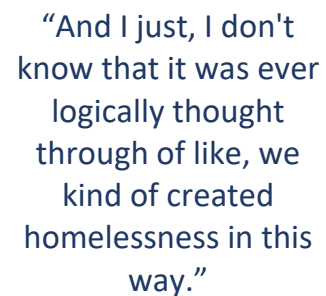
Legal Aid is a resource that was mentioned several times. “If it all sounds like Legal Aid could help them,” one person said, “then we're either directly helping them fill out the forms to contact Legal Aid or we are calling Legal Aid with them present so that we can facilitate that

interview.” But it, too, can come too late. “It's hard when they're at the last day to try to go to Legal Aid. It's kind of too late 'cause they can't do anything normally. As far as I know, if we're at 4 o'clock on a Friday, you're gonna be padlocked at 5 o'clock. I don't think that a lot of people know that they can reach out to Legal Aid, they may not know how to do that and advocate for themselves as well. Before they even get to this point, a lot of them don't know that, ‘maybe we should have started here earlier.’”

But as always, it comes down to the supply of affordable housing. “A huge part of it is a lack of units,” one person observed. “I mean, whenever anyone's come in and said they're getting evicted, they're immediately saying, ‘There's nowhere else to live.’”

The Cycle of Eviction. All those we spoke to recognized that the immediate crisis of eviction was only a manifestation of a deeper pathology. Finding out the conditions that contribute to the endless cycle of eviction is an important goal, but a resource-intensive one. “We all are not social workers and we all are not counselors,” one person said. Said another, “If we could work with them, find out what the issue is, why are they not able to pay bills? What can we do to make sure that they can pay their rent, utilities? Is there something that we can assist them with? How can we help them, do they need job training, do they need some money management, do we need a higher paying job, do we need to find a place that's better suited for them cost-wise?”

Mental health issues might be a contributing factor. “When a person comes in and asks you for assistance,” we were told, “you're not going to get into all those details, the mental thing, you might be able to see something, but you're not going to be asking a lot of questions about your mental health or your status or whatever. But I think if there was like a team where when people come in, that there's like a process that people need to go through so that you can determine if this person has mental issues, because mental issues might be why that person doesn't have a job, or it might be why that person has not finished education or to do the things that they need to do.”



“And I just, I don't know that it was ever logically thought through of like, we kind of created homelessness in this way.”

But one of the people we spoke to suggested that the eviction system itself is driving the cycle. “We're getting you housed, and then within two months you're back on the street with these additional barriers on your rental history that prevent you from getting housed again. And I just, I don't know that it was ever logically thought through of like, we kind of created homelessness in this way.”

Tenant Education. The people we spoke to debated the question whether some renters get themselves into the cycle of eviction through their inability to carry out the normal responsibilities of a renter. One person described it, “Keeping your house clean, paying your utilities, you can't be late on your rent, that type of thing.” Said another, “You need to be working on how do I get a job, how do I get someone to help me take care of my

children, how do I better myself.” Said a third person, “One of the things they saw that people needed assistance with was financial literacy to help them to stay in their homes and to pay the bills.”

One commented, “They're seeing a rise in their evictions because people are coming in, getting housed, and don't have tenant education. And so then, the question is, are there people who are just not ready for all of the responsibilities that come with renting or is it not being taught and explained to them? My theory is that, there are conversations that you can have in preparing people for housing.”

But to one of the people we spoke to, this seemed like passing the buck. “For every time that we're told that tenants need tenant education, we're also told, ‘But a lot of agencies that are doing this work with people experiencing homelessness don't have funding for tenant education.’ So how does that work? How is that billed? Who pays for that?” And would it do any good anyway? “There's not but so much that I can prepare you for even in tenant education, because if life happens, it happens.”

Working with Landlords. In addition to working with tenants to make them better tenants, these people talked about the need to work with landlords. When an agency

does provide assistance to the tenant, they want the landlord's cooperation. “We would definitely go and talk to landlords,” one said, “because I think it's important to get that relationship with the landlords and the tenant knows you have that relationship with the landlords so that everybody would be treated fairly when we go into issues and concerns.” She added, “If we have some agreement with the person, we might even be able to work out

something with the landlord to let them know that this person is in the program, or this person is going through this training. Can you extend, can you do whatever?” But at other times, the goal is to rein in the landlords. “How can we work with landlords to make sure they're doing some fair pricing for the housing that they're in, that we're not doubling the rent prices of someone.”

But there are landlords that can't be worked with, and in this connection we heard the “S” word repeatedly. “We see that people are working, living in situations where landlords are not working with them at all,” one person said, “that they're – and I hate to say, for

luck of a better term, but it's slumlord type of situations that they're in." Said another, "A lot of these properties that the folks are coming into are pretty poorly managed properties. A lot of them are individual landlords where they just have a few properties or some of them are even, you know, I kind of jokingly use this term, but like, truly are slumlords."

The Housing Authority. One landlord that was mentioned often, in tones of real frustration, was the Housing Authority of the City of High Point. As we know from the data presented in previous sections of this report, and from other conversations reported in this Section III, the Housing Authority is a high volume evictor, and this was corroborated by the community leaders we spoke to. Speaking of eviction trends in High Point, one person said, "What I noticed was, High Point consistently had smaller dockets, but they had the same few landlords that were constantly the sources for eviction. The one I noticed the most was typically High Point Housing Authority."

The Housing Authority has a reputation for harsh treatment of tenants who are late with the rent. "I've seen people part ways with the Housing Authority," said one person, "and there still ends up being the money owed issue, and so all it does is add to the barriers to get them housed again." Leaving with an eviction *and* a money judgment is just one of the burdens tenants carry; the other is the eviction on the record. "If you're evicted from the Housing Authority," one person told us, "that's severely diminishing what your rental options are going forward, like, you're pretty much not going to be able to touch any other leasing company."

The housing authorities could be a more positive force in the lives of precariously-housed people, we were told. "Based on the reasons that we're hearing in eviction court or that we're hearing from people on the streets about why they were evicted," said one person, "it seems like some type of wrap-around services and some type of almost like a diversion, like almost like an eviction diversion option would work well." She continued, "Almost like they're working an internal coordinated entry or an internal hotline to help their clients. Because while they are tenants, yes, they're also client to a degree." But it seems the High Point Housing Authority hasn't tried to go in this direction. "Instead, what has happened is, you kind of have the housing authorities serving in this role of, like a very strange parental figure where I give to you and I take away, but not I'm here to help, not I'm here to

"If you're evicted from the Housing Authority, that's severely diminishing what your rental options are going forward."

partner, not I'm here to build into this program with you and help you to be successful, more I am giving you this. If you break my rules, I take it away."

"There's not a lot of communication there," observed one of the people we spoke to. Instead, there's fear. "You don't have tenants who would even take the initiative to contact the Housing Authority when they fall behind because they almost feel like they're going to get in trouble for telling it anyway." It's the tenant's fault. "A lot of them see it as you moved into the Housing Authority and you knew that they had rules. And so again, I think it puts the blame on the tenant and they're not really thinking about ways to reform that system."

Eviction Data. We asked whether anyone in their community keeps track of the number of evictions or other eviction data. "We in our department, we do not," said one. "We don't do that," said another, "and I don't think there are any other agencies in the City of

"People probably would be shocked to see how many evictions. They probably don't realize how many people are evicted from their homes."

High Point that keeps up with that information either." Said a third, "We do not, and I'm not familiar with anyone that does."

We then asked whether having more and better data would help. "Personally, I think it would help," responded one person. "Anytime that we are having issues within our city," said another, "and it deals with our residents, I think that the government, the council,

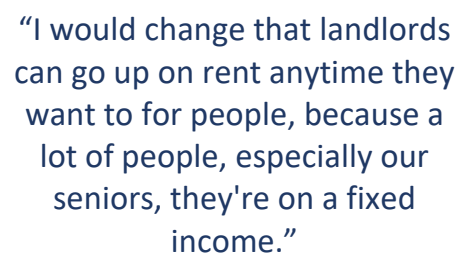
everybody needs to know what those issues are." One person described some of the impact it could have. "That would be a great thing to see, to learn about and seeing where these numbers are, what location where the most evictions occur in, what's going on, try to figure out some trends of what's happening, 'cause people probably would be shocked to see how many evictions. They probably don't realize how many people are evicted from their homes."

A note of pessimism entered the discussion about whether having more data would change anything. "Whether people want to address those issues or not," said one, "that's a different story." Said another, "I don't know that they would feel like there was anything they could do."

Finally, all agreed that reducing evictions, apart from being more fair, would also bring fiscal benefits. "It definitely costs more money," said one person. "You have to figure out food, hotel stays, people are having to be put into hotels, that definitely cost more money

from the system, from emergency assistance, because we know it's probably much cheaper to at least rent a home or apartment than the weekly rates that they're spending in hotel rooms, which also impacts health if they don't have any place to cook, they're having a microwave or eat readymade items, fast food, that's gonna impact their health overall. It's gonna impact mental health as well for people and their children. So you look at those things, that's all gonna cost dollars, that's all money that we have to spend to cover things." And, said another, the legal system drains resources. "There's always a cost when you have to go to court too, that's another cost to our system, has taken up time in our court system."

The Way Forward. The conversation turned to solutions, and the people we interviewed had some strong recommendations, including several addressing the sudden rent increases we discussed earlier. One person suggested, "I would change that landlords can go up on rent anytime they want to for people, because a lot of people, especially our seniors, they're on a fixed income, and in most cases, that income is not gonna change." Another said something similar. "I would ask them to come up with some rules and regulations, some legislation that would help with the rate that people can increase something that is gonna be based on fair market value to try to work on that and have some laws governing that in our community, because to me, it's kind of ridiculous that somebody can just come in today and say, 'Alright, you were paying 500, we want 1500 next month,' and from what I understand, there's nothing governing that. They're within their rights, they can do that."



"I would change that landlords can go up on rent anytime they want to for people, because a lot of people, especially our seniors, they're on a fixed income."

One suggested that tenants can withhold rent if code violations aren't remedied. "As soon as you stop paying rent, you can be evicted no matter what the other side is doing, and it creates such an imbalance of power." She continued, "In other states, you can say, 'I'm not going to pay rent, but I'm going to put it into some kind of escrow. So that to show that I am making a good faith effort, I'm setting aside the money but until they've made this change, and that I'm therefore protected from eviction while that's happening.'"

One person said we need emergency rental assistance dollars again. "We can figure out a way that we can truly get some more assistance for true emergencies. I know some things people know ahead of time, but if there is a true emergency, where can we go?"

Other suggestions concerned the eviction procedures themselves. One urged longer notice periods before the court hearing. “I just feel like it all happens so quickly right now. Once you filed, I there should be a longer time before they go to court.” And higher dollar thresholds before filing. “I would require that there be a higher threshold for an eviction. For me it would be that they would have to miss multiple months of rent or not paid anything.”

Housing Advocates.

We spoke with housing advocates, lawyers, paralegals, and social workers whose work brings them into contact with eviction court proceedings and the tenants, landlords, and judges who play roles in the eviction system. Their insights and perspectives gave us a greater understanding of the drama behind the numbers.

The Tenants’ Experience. Just as we asked the tenants we spoke to about their experience being caught up in the eviction mill, we asked these housing workers to

“People who are being evicted are in an extreme state of crisis, they are very emotional, they are very upset. It is an incredibly stressful time in their lives.”

describe how they see the tenants’ experience. What we heard was that falling behind in the rent, and being called into court, as bad as that is, is only one part of a larger set of problems. “Most of them have had some sort of recent financial crisis,” we were told, “like losing their job or losing a car, losing some sort of income that helped them get food on the table.” Another person agreed. “It is a stress that they can't pay their rent, but it's also other reasons that brought them here.” Said a third person, “People who are being evicted are in an

extreme state of crisis, they are very emotional, they are very upset. It is an incredibly stressful time in their lives.”

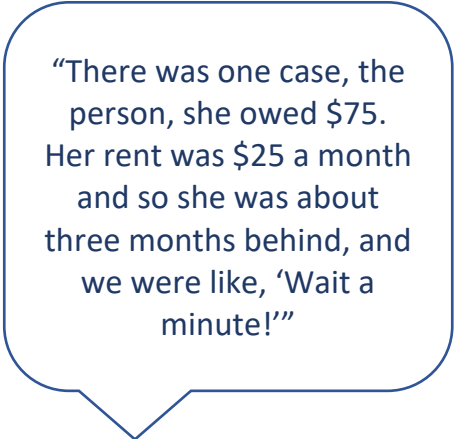
One person pointed out that this person in crisis goes into the courtroom – and no one cares about what they’re going through. “I see courts, landlords, everybody else just kind of not seeing that,” they said. “It's like, ‘Oh, here are these tenants, and they just won't pay their rent.’ But it's not that they don't want to pay their rent, it's that they can't pay their rent and it's stressing them out.”

Navigating the System. Not being able to pay the rent is stressing them out, but then being thrust into the court system only raises the stress level. It’s scary, and a lot of people

don't understand it. "A lot of people are unaware of what's really going on when it's happening," one person said. Another told us, "A lot of times most of them don't know exactly what they need to go to court and do. They don't know what burden they have."

Going into court without representation and without knowing the correct procedures is dangerous. "They don't know what they need to tell the court in order to win their case," said one observer. "They end just telling their story, admitting to not paying the rent as part of the hardship they've been going through and not necessarily testifying in their own best interest all the time." Even when they lose their home, they don't always see the ramifications. "They don't really understand the seriousness of what's happening there," said one person. "They don't realize that that eviction on your record is a real hardship when they start looking for a new place to live."

Evicted Over Small Amounts. One of the key findings of our research has been that many eviction cases are brought over relatively small amounts of unpaid rent. The implications of this are various: that filing barriers are low, so that filing on trivial grounds carries low costs to the landlords; that landlords are confident that even those modest costs will ultimately be borne by the tenants; that rising rents create the incentive to evict on flimsy pretexts in hope of raising the rent to the next tenant; and most important, that removal of the tenant isn't even the goal in many cases and that eviction is being employed more as for rent collection purposes. Some of these factors emerged in our discussions with housing advocates. One person told us, "There was one case, the person, she owed \$75. Her rent was \$25 a month and so she was about three months behind, and we were like, 'Wait a minute!'" This was an extreme example, but another person pointed out, "There's lots and lots of cases with rent under \$1,000" – an assertion supported by our data.



"There was one case, the person, she owed \$75. Her rent was \$25 a month and so she was about three months behind, and we were like, 'Wait a minute!'"

Trying to Pay. If a landlord is sufficiently motivated to evict, they will sometimes prevent tenants from paying the rent arrears to forestall eviction proceedings. "The landlords will lock out the tenants from paying rent even if it is two or three days past due," said one person, referring to the online payment platforms many larger landlords use. "They'll lock them out from being able to pay rent through the portal." They added, "So they get to court and they want to still pay rent, but during an eviction proceeding sometimes it's too late and that's really frustrating."

Even after judgment, when tenants are supposed to have ten days to pay to hold off the Sheriff, landlords don't always accept payment. Said one person, "They have ten days to pay, and if they pay within that ten days, everything is going to be okay. But," they continued, "the landlord does not have to accept their money and they do not have to let them stay, and they can accept their money and still not let them stay, and often they do. Now, there are legal issues if they accept too much money, but they can certainly accept part or all of the money they're owed. If they accept more, we start to have issues, but landlords frequently do accept more and go ahead and evict them anyway."

Large and Small Landlords. The behavior and practices of landlords vary by size of landlord. "The large apartment complexes or large holders of rental property, they are really different," said one informant. As we've described earlier in this report, large landlords and property managers tend to be quicker to evict, and the people we spoke to described a kind of assembly line. "A lot of times what you find there is just procedures," one person explained. "They have their procedures, the housing manager is in court, the owner has nothing to do with it, and they're like, they file the eviction, they go to court, and they're very robotic about it, so working something out doesn't really ever occur to them."

"In High Point, things between landlords and tenants are generally much more personal. They know each other better. They have each other's cell phone numbers."

But as the High Point eviction data shows, the evicting landlords in High Point are roughly evenly divided between larger and smaller landlords. This was one of the big differences between High Point and Greensboro. The housing advocates we talked to said they seem to see more small landlords in the High Point courthouse than in Greensboro, and it makes for a different dynamic. "In High Point," one person told us, "things between landlords and tenants are generally much more personal. They know each other better.

They have each other's cell phone numbers, they have more of a history, whereas in Greensboro, four days a week, there's a full courtroom of 75 people that are all being evicted by the same lawyer, it's just this machine that's just kicking people out."

The personal relationships might make small landlords more reluctant to evict, but it cuts two ways. "They know their landlord very well," said one person. "And it could be either good or bad, because, if you know that landlord and that landlord has gotten to this point of wanting to evict, there's almost, to me it feels like there was so much water under the

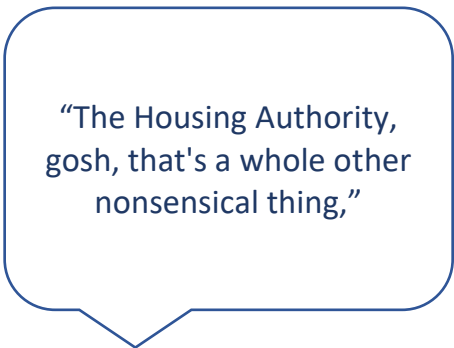
bridge that it's hard to negotiate with that landlord.” Said another, “In High Point, sometimes, landlords like to do it to like teach the tenant a lesson because it's more personal relationships, so it's kind of like they feel the tenant got off on them or whatever.”

Large Landlords’ Large Law Firms. Some large landlords use large eviction law firms to handle their high volume eviction business. The people we spoke to said the Greensboro eviction court is dominated by these law firms. “In Greensboro,” one person observed, “I think because we've got the big law firms representing all these apartment complexes, it's just like on the pleading, on the pleading, on and on and on. In High Point it's more actually testifying, I did notice that, by the landlords.” Another described the operating practices of the biggest of those firms, Loebsock & Brownlee. “We have this force called Loebsock,” this person said, “which is an eviction law firm, and they essentially weaponize all of their clients against poor people, and they tell them, ‘Don't accept partial rent, have them sign these things waiving their rights. You should file against them every month the second they don't pay rent, as opposed to waiting two or three months.’ They're all getting the same advice and it's causing these people to just be put out so much faster and for so little money.”

Our eviction data makes very clear that these tactics are quite common in High Point, not only in Greensboro. The housing advocates said the Loebsock firm works mainly in Greensboro, but our data indicates they work in High Point, too, and from our research we know that other High Point landlords follow the same advice as the person described.

High Point Housing Authority. “The Housing Authority, gosh, that's a whole other nonsensical thing,” said one of the people we talked to. The Housing Authority is a large landlord, and the second largest evictor according to our data, but in the harshness of its tactics seems to be in a category of its own. Said one person, “In my experience, the High Point Housing Authority is more vindictive and sinister than most in the state.”

They seem to be a leader in the small-amount eviction practice. Said one informant, “The High Point Housing Authority will file quite often and for very, very small amounts of money, the smallest amounts of money that I've seen people being evicted for have all been done by the Housing Authority. Often \$50, often \$100.” They also reportedly are among those landlords that make settlement difficult to achieve. “High



“The Housing Authority, gosh, that's a whole other nonsensical thing,”

Point Housing Authority will accept the money,” another person said, “but they still bring the court, people to court and evict them.” They said Greensboro Housing Authority is more likely to work with tenants to find a solution, whereas in High Point they sometimes seem determined to get the people out. “The High Point Housing Authority will sometimes use non-payment of rent of just \$50 as a pretext for just being able to get them out for some other reason that they're not able to get them out for.”

High Point versus Greensboro. We've already had occasion in previous paragraphs to notice differences between the court proceedings and experiences in High Point and Greensboro, for example as to the roles of large landlords and law firms, and the practices of the Housing Authorities. The tenant advocates we spoke to pointed out other examples. Notably, continuances are harder to get in High Point. “In High Point,” said one person, “if you go and ask for a continuance, you better have a very, very, very, very, very good reason. They do not give a ton of continuances in High Point.” That makes a big difference, because a tenant may benefit from a continuance, to have a chance to consult an attorney, to work out a solution with the landlord, to raise the rent money, or to relocate voluntarily to a more affordable home without waiting for the intervention of the Sheriff.

Appeal proceedings also differ. The time to the District Court hearing is much quicker in High Point, mainly owing to the much bigger case load in Greensboro. “In High Point,” we were told, “when tenants appeal their cases, they come up very quickly, maybe a month at the most, whereas in Greensboro, gosh, it can be a really long, a really long time, months and months before their cases come up on appeal.” Here again, the High Point

“They say this is kind of the straw that broke the camel's back. The tenant has a history of being late and then I can't depend on the rent getting to me in time.”

advantage is to Landlords. “It does benefit mostly tenants,” said one person, “to have cases take a while to be heard on appeal in District Court.” Greensboro tenants can use the extra time to resolve their cases, raise money, or relocate in an orderly fashion.

The different Magistrates working in High Point and Greensboro make for differences more in atmosphere than in tangible results. Greensboro has the bigger docket, and more Magistrates, while most eviction cases in High Point are heard by one particular Magistrate. This Magistrate is respected by some who work in the High Point courthouse. “Probably the most knowledgeable Magistrate in our service area,” said one person. “He's really good on the law,” said another. “Very often, he will

really hold the landlords to account.” But to the question whether, overall, High Point is more favorable to tenants than Greensboro, the views were mixed. One person said, “I think that it's tougher in High Point,” but that was not necessarily the view of all those we talked to.

The Landlords’ Experience. Just as we had for the tenants, we asked about landlords’ experience of eviction. One person said, “They have bills to pay as well.” That’s a common refrain of landlords and indeed, one of our informants said, “They always, says, ‘I have my own bills too.’” That’s true, of course, and sometimes, especially among the smaller landlords with more personal relationship with their tenants, they feel frustration. Another person described the mindset of the frustrated landlord. “They say this is kind of the straw that broke the camel's back. The tenant has a history of being late and then I can't depend on the rent getting to me in time.” After that, oftentimes, we’re told, they’re dug in.

PART IV – CONCLUSION

The High Point eviction numbers for the calendar year 2023 are high. Unpublished county-level numbers compiled by colleagues of our Center through February of this year show trends moving even higher, with sudden jumps in eviction filing rates over the last eight or nine months for Guilford and other counties and for North Carolina as a whole. A new surge in evictions may be underway. How much worse could it get?

That question is outside the scope of this report, but whether evictions remain at their current high levels or trend even higher, governments will have to step in. More resources will have to be committed to prevent evictions and to provide assistance to renters experiencing eviction or at risk for eviction.

We hope that the data and the insights into the mechanisms of eviction that we provide here will help public administrators and elected officials, and community-based organizations, legal services firms, and housing advocates, to develop policies and programs and tailor interventions in the best way possible to address the serious housing challenges that they encounter every day.

APPENDIX A – COURT FORMS USED IN EVICTION PROCEEDINGS

1. COMPLAINT IN SUMMARY EJECTMENT

<p>File No. _____</p> <p style="text-align: center;">COMPLAINT IN SUMMARY EJECTMENT</p> <p style="text-align: center;">G.S. 7A-216, 7A-232; Ch. 42, Arts. 3 and 7</p> <p>Name And Address Of Plaintiff _____ _____</p> <p>County _____ Telephone No. _____</p> <p style="text-align: center;">VERSUS</p> <p>Name And Address Of Defendant 1 <input type="checkbox"/> Individual <input type="checkbox"/> Corporation _____ _____</p> <p>County _____ Telephone No. _____</p> <p>Name And Address Of Defendant 2 <input type="checkbox"/> Individual <input type="checkbox"/> Corporation _____ _____</p> <p>County _____ Telephone No. _____</p> <p>Name And Address Of Plaintiff's Attorney Or Agent _____ _____</p> <p>Attorney Bar No. _____</p>	<p style="text-align: center;">STATE OF NORTH CAROLINA</p> <p style="text-align: center;">_____ County</p> <p style="text-align: right;">In The General Court Of Justice District Court Division - Small Claims</p> <p>1. The defendant is a resident of the county named above. 2. The defendant entered into possession of premises described below as a lessee of plaintiff.</p> <p>Description Of Premises (include location and address) _____</p> <p style="text-align: right;"><input type="checkbox"/> Conventional <input type="checkbox"/> Public Housing <input type="checkbox"/> Section 8</p> <p>Rate Of Rent (Tenant's Share) <input type="checkbox"/> Month <input type="checkbox"/> Week Date Rent Due _____ Date Lease Ended _____ Type Of Lease <input type="checkbox"/> Oral <input type="checkbox"/> Written \$ _____ per _____</p> <p>3. <input type="checkbox"/> The defendant failed to pay the rent due on the above date and the plaintiff made demand for the rent and waited the 10-day grace period before filing the complaint. <input type="checkbox"/> The lease period ended on the above date and the defendant is holding over after the end of the lease period. <input type="checkbox"/> The defendant breached the condition of the lease described below for which re-entry is specified. <input type="checkbox"/> Criminal activity or other activity has occurred in violation of G.S. 42-63 as specified below.</p> <p>Description Of Breach/Criminal Activity (give names, dates, places and illegal activity) _____</p> <p>4. The plaintiff has demanded possession of the premises from the defendant, who has refused to surrender it, and the plaintiff is entitled to immediate possession. 5. The defendant owes the plaintiff the following:</p> <p>Description Of Any Property Damage _____</p> <p>Amount Of Damage (if known) \$ _____ Amount Of Rent Past Due \$ _____ Total Amount Due \$ _____</p> <p>6. I demand to be put in possession of the premises and to recover the total amount listed above and daily rental until entry of judgment plus interest and reimbursement for court costs.</p> <p>Date _____ Name Of Plaintiff/Attorney/Agent (type or print) _____ Signature Of Plaintiff/Attorney/Agent _____</p> <p style="text-align: center;">CERTIFICATION WHEN COMPLAINT SIGNED BY AGENT OF PLAINTIFF</p> <p>I certify that I am an agent of the plaintiff and have actual knowledge of the facts alleged in this Complaint.</p> <p>Date _____ Name Of Agent (type or print) _____ Signature Of Agent _____</p> <p style="text-align: center;">(Over)</p>
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2. NOTICE OF VOLUNTARY DISMISSAL

STATE OF NORTH CAROLINA		File No. _____	
_____ County		In The General Court Of Justice <input type="checkbox"/> Small Claims <input type="checkbox"/> District <input type="checkbox"/> Superior Court Division	
Name Of Plaintiff _____ <hr/> <div style="text-align: center;">VERSUS</div> <hr/> Name Of Defendant _____	<div style="text-align: center;">NOTICE OF VOLUNTARY DISMISSAL</div> <input type="checkbox"/> COMPLAINT <input type="checkbox"/> COUNTERCLAIM <input type="checkbox"/> OTHER _____		
<small>G.S. 1A-1, Rule 41</small>			
<small>Complete the following information if known:</small>			
Court Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Location
<input type="checkbox"/> The plaintiff gives notice of voluntary dismissal <input type="checkbox"/> with prejudice <input type="checkbox"/> without prejudice in this case as to all of the defendants.			
<input type="checkbox"/> The plaintiff gives notice of voluntary dismissal <input type="checkbox"/> with prejudice <input type="checkbox"/> without prejudice in this case as to only the defendants named below and this case remains open as to defendants not listed. (Name of defendants for whom dismissal taken.) _____			
<input type="checkbox"/> The defendant gives notice of voluntary dismissal <input type="checkbox"/> with prejudice <input type="checkbox"/> without prejudice of the counterclaim in this case as to all of the plaintiffs.			
<input type="checkbox"/> The defendant gives notice of voluntary dismissal <input type="checkbox"/> with prejudice <input type="checkbox"/> without prejudice in this case as to only the plaintiffs named below and the counterclaim remains open as to plaintiffs not listed. (Name of plaintiffs for whom dismissal taken.) _____			
<input type="checkbox"/> Other: _____			
Date		Plaintiff Or Attorney	
Date		Defendant Or Attorney	
NOTE TO CITY OR COUNTY PLAINTIFF: If, pursuant to G.S. 7A-317, you were not required to pay all costs when filing the complaint to which you are taking a voluntary dismissal, you must pay the costs to the Clerk of Superior Court upon taking a voluntary dismissal. See G.S. 1A-1, Rule 41(d).			
<small>AOC-CV-405, Rev. 4/18 © 2018 Administrative Office of the Courts</small>			

4. JUDGMENT IN ACTION FOR SUMMARY EJECTMENT

<small>File No.</small>	<small>Abstract No.</small>	STATE OF NORTH CAROLINA	
<small>Scan No.</small>	<small>Judgment Docket Book And Page No.</small>	_____ County	In The General Court Of Justice District Court Division - Small Claims
JUDGMENT IN ACTION FOR SUMMARY EJECTMENT		This action was tried before the undersigned on the cause stated in the complaint. Except as may be indicated below, the record shows that the defendant(s) was given proper notice of the nature of the action and the date, time and location of trial.	
G.S. 7A-210(2), 7A-224; 42-30		FINDINGS	
<small>Name And Address Of Plaintiff</small>		The Court finds that:	
_____		1. a. Defendant 1 <input type="checkbox"/> was <input type="checkbox"/> was not present, and <input type="checkbox"/> was served <input type="checkbox"/> personally (Rule 4) <input type="checkbox"/> by posting. <input type="checkbox"/> was not served.	
_____		b. Defendant 2 <input type="checkbox"/> was <input type="checkbox"/> was not present, and <input type="checkbox"/> was served <input type="checkbox"/> personally (Rule 4) <input type="checkbox"/> by posting. <input type="checkbox"/> was not served.	
_____		2. <input type="checkbox"/> a. the plaintiff has proved the case by the greater weight of the evidence.	
_____		<input type="checkbox"/> b. the plaintiff has failed to prove the case by the greater weight of the evidence.	
_____		<input type="checkbox"/> c. the plaintiff requested and was entitled to a judgment for possession based on the pleading.	
_____		3. <input type="checkbox"/> a. there is no dispute as to the amount of rent in arrears, and the amount is \$ _____.	
_____		<input type="checkbox"/> b. there is an actual dispute as to the amount of rent in arrears. The defendant(s) claims the amount of rent in arrears is \$ _____, and this amount is the undisputed amount of rent in arrears.	
_____		4. other: _____	
<small>County</small>		ORDER	
<small>Telephone No.</small>		VERSUS	
<small>Name And Address Of Defendant 1</small>		It is ORDERED that:	
_____		<input type="checkbox"/> 1. the defendant(s) be removed from and the plaintiff be put in possession of the premises described in the complaint.	
_____		<input type="checkbox"/> 2. this action be dismissed with prejudice.	
_____		<input type="checkbox"/> 3. this action be dismissed with prejudice because the defendant(s) tendered the rent due and the court costs of this action.	
_____		<input type="checkbox"/> 4. the plaintiff recover rent of the defendant(s) in the amount and at the rate listed below, plus other damages in the amount indicated. The plaintiff is also entitled to interest on the total principal sum from this date until the judgment is paid.	
_____		<input type="checkbox"/> 5. at the request of the plaintiff, the claim for money damages is severed from the claim for possession and is not determined by this Judgment.	
_____		<input type="checkbox"/> 6. other: (specify) _____	
_____		<input type="checkbox"/> 7. costs of this action are taxed to the <input type="checkbox"/> plaintiff. <input type="checkbox"/> defendant(s).	
<small>County</small>		Rate Of Rent (Tenant's Share) <input type="checkbox"/> Mo. <input type="checkbox"/> Amt. Of Rent In Arrears (Owed To Date) <input type="checkbox"/> Judgment Announced And Signed In Open Court	
<small>Telephone No.</small>		\$ _____ per <input type="checkbox"/> Wk. \$ _____	
<small>Name And Address Of Plaintiff's Attorney</small>		Amount Of Other Damages \$ _____	
_____		Date _____ Signature Of Magistrate _____	
_____		TOTAL AMOUNT \$ _____	
_____		Name Of Party Announcing Appeal In Open Court _____	
<small>Name And Address Of Defendant's Attorney</small>		CERTIFICATION	
_____		(NOTE: To be used when magistrate does not announce and sign this Judgment in open court at the conclusion of the trial.)	
_____		I certify that this Judgment has been served on each party named by depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the United States Postal Service.	
_____		Date _____ Signature Of Magistrate _____	
AOC-CVM-401, Rev. 3/19 © 2019 Administrative Office of the Courts			

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