



## STAFF REPORT

### City Council

Meeting Date:

9/9/2025

Staff Report Number:

25-140-CC

Study Session:

Review and provide feedback on the draft Anti-displacement Plan strategies

### Recommendation

Staff requests that the City Council review and provide feedback on strategies proposed for the Anti-displacement Plan.

The draft Executive Summary for the Anti-displacement Plan provides an overview of the five recommended strategies as well as two additional strategies to consider over the long term (Attachment A). Staff evaluated a list of 23 strategies identified through community outreach (Attachment B).

### Policy Issues

General Plan Housing Element Program H2.E and Environmental Justice Element Program EJ5.G both commit the city to developing an Anti-displacement Plan with a primary focus on the Belle Haven neighborhood.

### Background

Displacement occurs when people relocate from their homes or neighborhoods due to various factors that are beyond their control. Displacement can present itself in different forms including physical, economic, exclusionary or cultural displacement. Displacement factors can range from eviction from the home, rising housing costs, gentrification, poor building conditions or neighborhood redevelopment.

Past discriminatory practices like redlining and restrictive covenants have affected housing in the city and the neighborhood of Belle Haven. These practices have contributed to the economic gap between Belle Haven and the rest of Menlo Park with notable differences such as household income, home values, and educational attainment.

#### Current Anti-displacement efforts

The City recognizes that anti-displacement is an ongoing issue for the community. In efforts to address it, the following anti-displacement state and local regulations and programs are currently in place:

#### *California Tenant Protection Act (Assembly Bill 1482)*

The Tenant Protection Act, also known as Assembly Bill (AB) 1482, is a state mandate to provide statewide tenant protections that include:

- Rent stabilization – As a tenant occupying a property for more than 12 months, monthly rent increases

are limited to no more than twice a year at a rate of 5% plus Consumer Price Index (CPI) or 10%, whichever is lower.

- Just cause eviction – As a tenant occupying a property for more than 12 months, evictions must be for specific reasons such as failure to pay rent or lease violations. If the eviction is deemed at “no-fault” of the tenant, relocation assistance must be provided.
- Single family dwelling exemption – Single family homes or condominium units with no corporate ownership are exempt from the rent stabilization and just cause eviction protection sections of AB 1482. A separate law, the Costa Hawkins Rental Housing Act, expressly forbids rent control or rent stabilization to single family homes. Many of the rental units in the Belle Haven neighborhood (70%) are single family homes and are therefore not protected under this Act.

### *City efforts*

- 12-month lease requirement – The City has an ordinance that requires a landlord of rental properties with four or more units to offer tenants an option to enter into a one year written lease. It is the tenant’s choice if they want to enter into this length of term. A long-term lease not only provides greater stability but also helps ensure that tenants will be covered under AB 1482 in case of a potential eviction since the act only applies to those living at a property for a minimum of 12 months.
- Affordable housing production – As part of the City’s below market rate (BMR) housing program, the City has an inclusionary zoning ordinance, requiring that residential developments of five or more units set aside a certain percentage of units as affordable or pay a residential in-lieu fee. Also, the City has a commercial in-lieu fee, which requires payment of fees to the BMR housing fund from non-residential projects exceeding 10,000 square feet of net new square footage. Commercial in-lieu fees are paid in place of providing actual BMR units in a proposed commercial development where residential uses are not allowed. Developers interested in building affordable housing in the City can apply for these funds to finance 100% affordable housing projects through the notice of funding availability (NOFA) process.
- Housing Assistance Program – Administered by Samaritan House, this program provides a one-time financial assistance payment of up to \$5,000 to Menlo Park tenants earning less than 80% area median income (AMI) and experiencing financial hardship. The program was later expanded to increase the income eligibility to 150% AMI. The City’s funds were fully utilized by early 2025, however Samaritan House still operates the program using a variety of funding sources and Menlo Park residents are still able to utilize it.
- Housing Preservation Program – With two separate programs, the city has partnered with both Habitat for Humanity (Habitat) Greater San Francisco and Rebuilding Together Peninsula (RTP). The city provided \$1.2 million to Habitat to administer a rehabilitation program for single family homes in Belle Haven. Habitat provides a zero-interest loan to low-income homeowners to rehabilitate their home. This program was recently expanded citywide. The city provided \$180,000 to RTP to administer a grant program that provides smaller repairs and accessibility upgrades for low-income homeowners in Belle Haven. These rehabilitation programs help preserve homes, which provides longer term stability for residents.

### *Metropolitan Transportation Commission (MTC) Grant*

In early 2025, the City was awarded \$250,000 from the Metropolitan Transportation Commission (MTC) Transit-Oriented Communities (TOC) Housing Policy grant. The grant program supports the development and adoption of housing policies that are focused on production, preservation and protection of affordable housing. The City’s grant funding will be used towards the implementation of a rental assistance program

and a legal assistance program. Per the grant timeline, the City has proposed to implement the rental assistance program by July 2026 and the legal assistance program by November 2026. These programs are intended to support the City's anti-displacement efforts.

#### Housing Element and Environmental Justice Element Programs

As the City prepared both its 2023-2031 Housing Element and Environmental Justice Element, it solicited feedback from the community in a variety of ways, including a citywide community survey, tabling at pop-up events like farmers markets, and community meetings. Outreach also included a conscious effort to connect with the Belle Haven neighborhood. At meetings conducted with Belle Haven residents and community-based organizations, resident displacement and tenants' rights were identified as a significant concern. Program H2.E details the need for an anti-displacement plan with stronger tenant protections, as shown in Table 1.

Table 1: Housing Element Program H2.E "Anti-Displacement Strategy"	
	Conduct outreach and meet the residents and organizations primarily in the Belle Haven neighborhood to develop an anti-displacement strategy that the City Council can adopt after review from the Housing Commission and Planning Commission. The strategy should reflect community engagement, potentially including research and tools such as community meetings, surveys and field visits in collaboration with local community organizations. It will include policies that could:
a.	Increase housing quality while preventing evictions
b.	Consider neighborhood tenant preference for affordable housing
c.	Identify new sources of funding for anti-displacement efforts
d.	Develop localized anti-displacement programs that could accompany large-scale developments
e.	Provide deposit assistance, particularly for veterans
f.	Provide robust tenant education to connect tenants to housing supportive programs and ensure that tenants are aware of their rights and access to legal counsel by posting resources on the City's housing website and other media on an ongoing basis
g.	Inform tenants of opportunities for rental assistance, such as revolving loan funds or external funding sources. Consider continuation of funding beyond 2024 for the Menlo Park Housing Program to provide emergency financial assistance to lower income tenants and homeowners facing displacement risk for reasons not addressed by the tenant relocation assistance ordinance; identify potential funding sources and explore potential scale of rental assistance
h.	Expand Just Cause Eviction provisions beyond current law to include tenants of any tenure
i.	Increase the time of rental relocation assistance required to be paid by landlords
j.	Increase the required amount of relocation assistance provided by landlords to low and moderate income tenants whose tenancy is terminated for no-fault just cause
k.	Create an eviction monitoring and data collection program

The Environmental Justice Element includes an anti-displacement program in Program EJ5.G, as detailed in Table 2, and a program focused on access to legal counsel in Program EJ5.H, as detailed in Table 3,.

**Table 2: Environmental Justice Program EJ5.G “Anti-Displacement Strategy”**

Ensure that City's Anti-Displacement Strategy (Housing Element Program H2.E) supports households and neighborhoods in underserved communities, including identifying, acknowledging, and addressing racial disparities in the housing market. This will include consideration, at a minimum, the following:

- a. Rental inventory of all dwelling units
- b. Updated or expanded rent control laws
- c. Rent increase mitigations, such as longer noticing requirements
- d. Community and tenant opportunities to purchase\*
- e. Revised BMR guidelines allowing for deeper affordability (e.g., subsidies) \*
- f. Expand relocation assistance for tenants\*
- g. Just Cause Eviction protections regardless of tenant duration
- h. Strengthened anti-harassment ordinances\*
- i. An examination of opportunities to limit additional fees passed to tenants like laundry, parking and utility costs

\*The programs marked with an asterisk are identified as having similar language to other programs included in Program H2.E of the City of Menlo Park Approved 2023-2031 Housing Element.

**Table 3: Environmental Justice Program EJ5.H “Access to Legal Counsel”**

As part of an anti-displacement program and to ensure stable housing, support increasing access to legal counsel for tenants facing eviction by conducting community outreach, education, and engagement to ensure renters are aware of this resource. Include progress reports on usage annually.

### Housing Commission Feedback

The draft Anti-displacement Plan was reviewed by the Housing Commission (Commission) Sept. 3. The Housing Commission was asked to review and provide their feedback on the draft Anti-displacement Plan recommendations. Overall, the Commission spoke in support of the draft plan's recommendations with more Commission discussion and focus on the City's rental assistance program and legal assistance program. During their discussion, the Commission expressed concern for the major discrepancy in legal representation between tenants and landlords in eviction cases and stressed the importance of a legal assistance program. They also stressed the need to take action sooner than later.

The Commission also discussed greater ways to educate tenants such as providing information relating to tenant's rights/protections. Understanding that not all strategies can be pursued right now, they also discussed other strategies such as the rent registry, the use of a Tenant/Community Opportunity to Purchase (T/COPA) program and extending relocation assistance.

### **Analysis**

The Housing Element and Environmental Justice Element programs included approximately 20 anti-displacement strategies for further evaluation, although some were mentioned in both elements. Staff conducted additional community outreach in fall 2024 through a survey and interviews, and research to prepare the Anti-displacement Plan. As a result of outreach, three additional strategies were added to the list for further evaluation, for a total of 23 strategies. This list of strategies has been analyzed and

prioritized. The draft Anti-displacement Plan recommends pursuing five strategies in the City's efforts to combat displacement in Belle Haven as well as implement Housing Element and Environmental Justice programs.

#### The Four Pillars or "4P's" of the Anti-displacement Plan

The 23 strategies were organized by "pillar". Known as "The Three Pillars" or "3 P's", this concept represents the need to *produce* affordable housing, *preserve* existing affordable housing and *protect* vulnerable populations to address displacement. In addition to these three pillars, one additional pillar, known as "*Prosperity*", or a fourth "P" was also added as a way to create a pathway to financial independence and empowerment for community members. Together, these four pillars or "4P's" help guide the City's Anti-displacement Plan. A detailed description of the Production, Preservation, Protection and Prosperity pillars, as well as the organization of the strategies by pillar has been included as Attachment B.

#### Methodology

Staff evaluated and prioritized strategies to include in the draft Plan based on considerations including:

- identification as a high priority by the community
- effectiveness in reducing displacement
- ease of implementation
- financial and staffing resources necessary for implementation

Strategies were also evaluated based on whether they generally provided shorter term or longer term relief or protections.

A three-prong approach was used to prepare the draft Anti-displacement Plan, including: 1) outreach and engagement with residents, 2) interviews with experts and stakeholders, and 3) research on displacement prevention. Please note that this report is summarizing each of the "prongs". More detailed information about the survey results, feedback from the interviews, and a full list of research materials will be included in the draft plan.

#### *Community outreach*

One of the key approaches to the plan was to identify which of the community-identified strategies were the highest priority or most important to the community. To engage the community, the city held two community meetings in November 2024, one of them exclusively in Spanish, to receive resident feedback. All the presented strategies were already included in both the Housing Element and Environmental Justice Element, provided by the City's consultant, The Housing Endowment and Regional Trust of San Mateo County (HEART), or identified in subsequent outreach in fall 2024. Each strategy was listed along with its definition/description and potential advantages and disadvantages. Attendees voted on which strategies they preferred and were given the opportunity to provide additional programs and policies not listed that they felt may also be effective in implementation. In preparation for the community meetings, bilingual postcards with meeting information were sent to each residence in the Belle Haven neighborhood and surrounding multifamily developments, bilingual electronic notices were posted in City facilities, and in-person outreach events were undertaken.

In addition, for those who could not attend the meetings, a bilingual community survey was released in the

Spring 2025. In anticipation of the survey, bilingual postcards with a QR code to the survey were mailed to each residence in Belle Haven, City staff tabled City events with the survey, group presentations were given to Belle Haven community groups, electronic ads were posted at City facilities, and articles were included in the City newsletter.

Between the community meetings and survey, there were approximately 30 participants. Based on the participation feedback, the following strategies were identified and are listed by the highest priorities below:

- Consider neighborhood tenant preference for affordable housing
- Develop localized anti-displacement programs to large-scale developments
- Affordable housing production
- Purchase and preservation of existing housing

#### *Interviews with experts and community stakeholders*

City staff, along with its consultant, conducted 14 interviews with experts and community stakeholders. Experts included researchers, legal professionals, and practitioners in addressing anti-displacement. Community stakeholders included organizations within the Belle Haven neighborhood.

The list of interviewees included members representing:

1. Belle Haven Action
2. Belle Haven Community Development Fund
3. Belle Haven Empower
4. Belle Haven Neighborhood Association
5. California Apartment Association
6. Climate Resilient Communities
7. Community Legal Services in East Palo Alto (CLSEPA)
8. Legal Aid Society of San Mateo County
9. Menlo Together
10. Metropolitan Transportation Commission
  - a. Two separate interviews with two members from the working on different aspects of anti-displacement (housing preservation and housing policy)
11. Stanford Law Clinic
12. Urban Displacement Project

Each interviewee was asked about their preferred strategies. Responses were wide ranging, however the strategies receiving the most support included:

- Rental assistance, including deposit help and emergency housing funds (some assistance for homeowners, too), and
- Improved multilingual outreach to increase awareness and trust

Other items to consider included:

- Navigator or technical assistance from local, community-based staff
- Increased City staffing and direct presence in community
- Need for emergency repair or housing cost support for homeowners
- Support for homeownership pathways, such as rent-to-own and affordable ownership models



- Concern about vacant homes and the need for policies to address them

### *Literature review and research*

Staff conducted research on best practices in anti-displacement and each individual strategy was reviewed using factors including effectiveness in reducing or preventing displacement and timeframe needed to prevent displacement. In summary, there is not one or two strategies that would “resolve” displacement but to be effective, several strategies must be in place.

Overall, there is limited published research on anti-displacement best practices, but several key research publications were referenced heavily in the preparation of the Anti-displacement Plan. “White Paper and Anti-Displacement Strategy Effectiveness” by Karen Chapple and Anastasia Loukaitou-Sideris, February 28, 2021, has been often cited by other government agencies and papers when researching anti-displacement. The study provided valuable information on many of the strategies. In addition, two recent publications on eviction data were released by the Stanford Law Clinic and the Bay Area Housing Finance Authority (BAHFA). The Stanford Law Clinic prepared a study, “Evictions in San Mateo County 2019/2023”, which compared 2019 eviction rates to 2023 rates (Attachment C) and found that:

1. In 2023, approximately 85% of evictions were based on late or non-payment of rent.
2. Less than 5% of San Mateo County tenants had legal representation in 2023 while approximately 93% landlords had legal representation.
3. With some legal counseling (not legal representation), tenants were much more successful in contesting their eviction.

The BAHFA study, “Evictions in the Nine-County Bay Area”, studied all nine counties in the Bay Area and findings were similar to the Stanford Law Clinic study (Attachment D). Evictions can be a good bellwether or measure for displacement in general. The BAHFA study highlighted informal evictions. An informal evictions is when a tenant is evicted from the home without involving the court system, and which may include abusive or harassing behavior from the landlord or illegal shut off of utilities. Informal evictions are estimated to be two or three times greater than formal evictions.

Data from these publications provided data and information that supported the City’s MTC grant for a rental assistance program and a legal assistance program.

### Recommendations

Proposed strategies in the draft Plan are mostly focused on providing protections in the near term (defined as within the next 2 years) for current residents. This plan is a continuation of the City’s efforts to reduce displacement and keep residents in their homes and community. With implementation of the strategies, staff will also focus on outreach and education to increase awareness of available resources, policies and programs. The City will continue to pursue additional strategies in the future. Please note that strategies that are not recommended can still be considered in the future.

The proposed recommendations are as follows:

1. Additional funding for rental assistance – As mentioned, approximately 85% of evictions cases were for late or non-payment of rent. This will provide protection in helping to avoid eviction. The program would provide financial assistance to a tenant experiencing financial hardships. At a minimum, it would provide some temporary relief from displacement.

2. Establishment of a legal assistance program – Data shows less than 5% of tenants are represented by legal counsel while landlords are represented about 85% of the time. Legal support, even limited legal counseling, significantly improves a tenant's ability to successfully contest an eviction. The provision of some level of legal guidance and or representation could reduce the number of evictions in the City.
3. Extending AB 1482/Expansion of just cause evictions – Already in place with the State, the draft plan proposes to extend the protection past the State expiration date of 2030 in the form of a local ordinance. The recommendation also proposed to extend just cause eviction protections to single family homes, which are not protected by AB 1482. This can be achieved by only adopting the just cause evictions from AB 1482 and excluding the rent stabilization protections. Lastly, this strategy could include a requirement that landlords submit eviction notices to the City so that eviction trends can be monitored.
4. Establishment of a tenant anti-harassment ordinance – The ordinance would help mitigate unreasonable, abusive or coercive landlord behavior to influence a tenant to vacate a unit. MTC recently released an anti-harassment model ordinance template for jurisdictions to use. The City could use the template to facilitate the implementation of an ordinance to provide additional tenant protection.
5. Expand the home preservation program – This program is already partially implemented in that the City has a single-family rehabilitation program in Belle Haven for eligible households. However, to further help residents remain in the community, apart from the physical preservation of existing units (i.e. the City rehabilitation program), additional efforts could be implemented to expand the scope of the preservation program to provide ownership opportunities for tenants and rehabilitation of multi-family units for long term affordability opportunities.

While implementing the recommended strategies will help provide near term relief to those facing potential displacement, establishing longer term strategies is also important in developing the City's Anti-displacement Plan. Some longer term strategies to consider may include:

1. Establishment of a rental registry – A rent registry provides data on rental units in the city. Landlords would be required to submit rental rates and other requested data on their units. Through the registry, the city would have a comprehensive view of the rental market. Generally, a city would require landlords to submit their information. While it may take some time to create and for landlords to comply, a database of rental units in the City could increase visibility into market conditions and provide data when enforcing rent regulations. While a valuable tool, it does not provide direct tenant protections.
2. Workforce development – Creating a workplace development program could create opportunities for financial independence, advancement and empowerment with a direct impact on the Belle Haven community.

### Next steps

The remaining tentative schedule for the preparation of the Anti-displacement Plan includes:

- City Council study session – September 2025
- Draft plan released – mid-November 2025
- Housing Commission Review – December 2025
- Planning Commission Review – December 2025
- City Council adoption – January 2026
- Rental Assistance Program Implementation – July 2026 (Per MTC application)



- Legal Assistance Program Implementation – September 2026 (Per MTC application)

### **Impact on City Resources**

The funding for any proposed anti-displacement programs would be evaluated through a separate process and could occur through a combination of general fund, special funds and/or grant monies to support the range of activities. The City has received \$250,000 from a TOC grant to implement a rental assistance program and a legal assistance program. As part of the grant, the jurisdiction must provide a minimum of \$300,000 for each program over a 4-year period, which would be budgeted in future fiscal years.

### **Environmental Review**

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

### **Public Notice**

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

### **Attachments**

- A. City of Menlo Park draft Anti-Displacement Plan Executive Summary
- B. Strategies by Pillar
- C. Stanford Law Clinic “Evictions in San Mateo County 2019/2023”, February 2025
- D. Bay Area Housing Finance Agency, “Evictions in the Nine-County Bay Area”, July 2025

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## DRAFT EXECUTIVE SUMMARY

Displacement occurs when individuals or families leave their homes due to rising housing costs, redevelopment, or other external pressures. It is rarely caused by a single factor, but rather by a combination of long-standing structural inequities and current economic forces that disproportionately affect low-income households and communities of color. In Menlo Park, these pressures have intensified over the last 30 years, from increased housing demand and raised costs have contributed to the ongoing displacement of longtime residents, particularly in neighborhoods like Belle Haven.

Belle Haven is identified as the area of Menlo Park most at risk of displacement. Originally developed during World War II for working-class families, over the past decades, the neighborhood was shaped by discriminatory lending practices and exclusionary restrictions. Today, in addition to being geographically separated from the rest of the city, disparities remain in Belle Haven. Its residents earn less, home values are less than other parts of the City and there is a lesser rate of homeownership in the neighborhood. The table below shows the continuing disparities between Menlo Park and Belle Haven as of 2023, which cause residents of Belle Haven to be more vulnerable to displacement.

Disparities between Menlo Park and Belle Haven

	Menlo Park	Belle Haven
<b>Median Income</b>	\$206,588	\$149,699
<b>Median Home Value</b>	\$2M	\$1.1M
<b>Median Rent</b>	\$3,156	\$3,252
<b>Race</b>	52% White, 48% Persons of Color	10% White, 90% Persons of Color
<b>Owners</b>	55%	45%
<b>Renters</b>	45%	55%
<b>Household Size</b>	2.7	3.5
<b>Education (Bachelor or Higher)</b>	73%	38%

Source: 2023 ACS 5 Year Data.

\*Using census tract 6117 data for Belle Haven.

This Anti-displacement Plan outlines and evaluates a range of programs and policies that aim to preserve affordability, protect tenants, and promote housing stability. Developed in alignment with the City's Housing Element and Environmental Justice Element, it draws

from community priorities and expert input to identify the most effective tools for preventing displacement and ensuring that residents can remain and thrive in their neighborhoods. During the Housing Element and Environmental Justice community outreach, a number of anti-displacement strategies were proposed by the community. During the preparation of the plan as well as subsequent outreach, a total of 23 strategies were reviewed as part of the plan.

### **Methodology and Approach**

Because of the number of strategies and to better organize the plan, the strategies were categorized into the “four Ps” in anti-displacement efforts. These “Ps” refer to **Production**, **Preservation**, and **Protection** of housing. A fourth “P” was added for **Prosperity**. The four “Ps” or pillars are designed to strengthen the community against displacement.

To prioritize the many anti-displacement strategies identified, the City conducted extensive community outreach, interviewed experts and stakeholders and reviewed best practices. The strategies in this plan reflect those most supported by the community through the Housing Element, Environmental Justice Element, and additional outreach, as well as those backed by expert input and research. These actions mark the beginning of a broader, ongoing effort to prevent displacement and will continue to evolve over time.

This plan was shaped through a three-pronged approach:

1. Belle Haven neighborhood and community outreach
  - a. Two community meetings
  - b. Survey
2. Expert and stakeholder interviews
  - a. 12 total interviews were held with:
    - i. Belle Haven community organizations (5),
    - ii. legal assistance providers (2),
    - iii. anti-displacement researchers and practitioners (4), and
    - iv. business representatives (1).
3. Review of research on displacement and best practices

As part of this process, each strategy was also evaluated for its potential benefits and drawbacks and reviewed if the strategy could provide shorter or longer term relief or protections. For example, affordable housing production could be considered a long term strategy as the construction of new affordable housing has a long timeline from concept to built units as well as providing long term affordability. A rental assistance program could be considered a short term strategy as the assistance would only keep the tenant in the unit for a shorter period. This analysis helped inform the prioritization of strategies that offer the most immediate relief, while also setting the stage for longer-term solutions to be layered in over time.

### **Recommendations**

In evaluating the information collected from all the resources, the plan concluded that both short term and long term strategies must be pursued to effectively prevent displacement. However, the plan emphasizes implementing more short term measures to provide protections to current residents sooner. The following strategies are recommended to be included in the plan.

1. Rental Assistance (Short Term)
  - a. Over 85% of evictions in San Mateo County in 2023 were for nonpayment of rent. Rental assistance, especially when easily accessible, can prevent displacement before it escalates to eviction.
2. Legal Assistance Program (Short Term)
  - a. Tenants are represented in less than 5% of eviction cases, while landlords almost always are about 85% of the time. Legal support, even limited counseling, significantly improves outcomes.
3. Just Cause Eviction Protections (Short Term)
  - a. Extending just cause protections beyond the State mandated expiration date of 2030 would provide protection into the future. Applying the just cause eviction protections to single-family homes, currently excluded, would particularly benefit Belle Haven, where approximately 70% of the homes are single family. Lastly, requiring eviction notices to be submitted to the City. This would improve transparency and assist in data collection.
4. Tenant Anti-Harassment Ordinance (Short Term)
  - a. Menlo Park currently lacks an anti-harassment ordinance. A locally tailored version, using a model ordinance, would offer clearer protection and quicker implementation.
5. Preservation Program Expansion (Long Term)
  - a. Expanding the City's preservation efforts, including rehabilitation programs for multi-family projects, can help stabilize existing housing. Tools like Tenant Opportunity to Purchase or Community Opportunity to Purchase Acts (TOPA/COPA), Community Land Trusts (CLT), and targeted funding should be explored.

Other strategies to consider:

1. Rental Registry (Long Term)
  - a. A rental registry tracks ownership, rents, and unit information to improve transparency and monitor compliance with local policies. It does take some time to develop a registry. And while it does not prevent displacement directly, it is a valuable long-term data tool in support of rent stabilization and just cause eviction ordinances.

2. Workforce Development (Long Term)

- a. Supporting financial empowerment through living wages, local hiring, and workforce programs was a recurring theme. These types of programs do take a longer time to implement and establish. However, these efforts help stabilize households and reduce economic pressure over time.

## Strategies by Pillar

Production	Preservation	Protection	Prosperity
Efforts that boost the production of affordable housing and provide opportunities for families to stay in Menlo Park.	Policies and programs that maintain the affordability of existing housing stock, preventing displacement.	Programs pertaining to tenants' rights, legal assistance, rental assistance, and other programs that protect residents from displacement.	Measures that enhance employment prospects, provide job training and create pathways for upward mobility, so that residents can afford to live in Menlo Park.

### Review of Anti-displacement Strategies

Separated out by pillar, an overview of each strategy has been included, and includes the advantages and disadvantages of each.

For quick reference, those strategies highlighted in **bold** are strategies already implemented by the City.

“\*” denotes the strategy was included in Housing Element Program H2.E.

“\*\*” denotes the strategy was included in Environmental Justice Program EJ5.G.

## Production Strategies

Production		
	Advantages	Disadvantages
1. <b>Increase Affordable Housing Production</b>	<ul style="list-style-type: none"> <li>• Promotes affordable housing</li> <li>• Guarantees long term affordability</li> <li>• Resource optimization of public lands</li> </ul>	<ul style="list-style-type: none"> <li>• Requires extensive funding</li> <li>• Production of inclusionary units dependent on market conditions</li> </ul>
2. <b>Explore changes to BMR Requirements*</b>	<ul style="list-style-type: none"> <li>• Update of current policy could provide for development of more affordable units</li> </ul>	<ul style="list-style-type: none"> <li>• Requires new nexus/feasibility study</li> <li>• May disincentivize development</li> </ul>

## Preservation Strategies

Preservation		
	Advantages	Disadvantages
3. Purchase and Preservation of Existing Housing*	<ul style="list-style-type: none"> <li>• Converts market rate housing to permanently affordable housing</li> <li>• Promotes long-term affordability</li> </ul>	<ul style="list-style-type: none"> <li>• Requires significant funding and qualified organizations to maintain properties</li> </ul>
4. Community and Tenant Opportunity to Purchase Act (COPA/TOPA)**	<ul style="list-style-type: none"> <li>• Gives tenants an advantage in the purchase process</li> <li>• Converts market rate housing to affordable housing</li> </ul>	<ul style="list-style-type: none"> <li>• Time consuming</li> <li>• Reliant on purchase funds and building tenant/non-profit capacity</li> </ul>
5. <b>Home Repair/Renovation Program *</b>	<ul style="list-style-type: none"> <li>• City has already made financial commitments</li> </ul>	<ul style="list-style-type: none"> <li>• Potential funding from City would be limited</li> </ul>



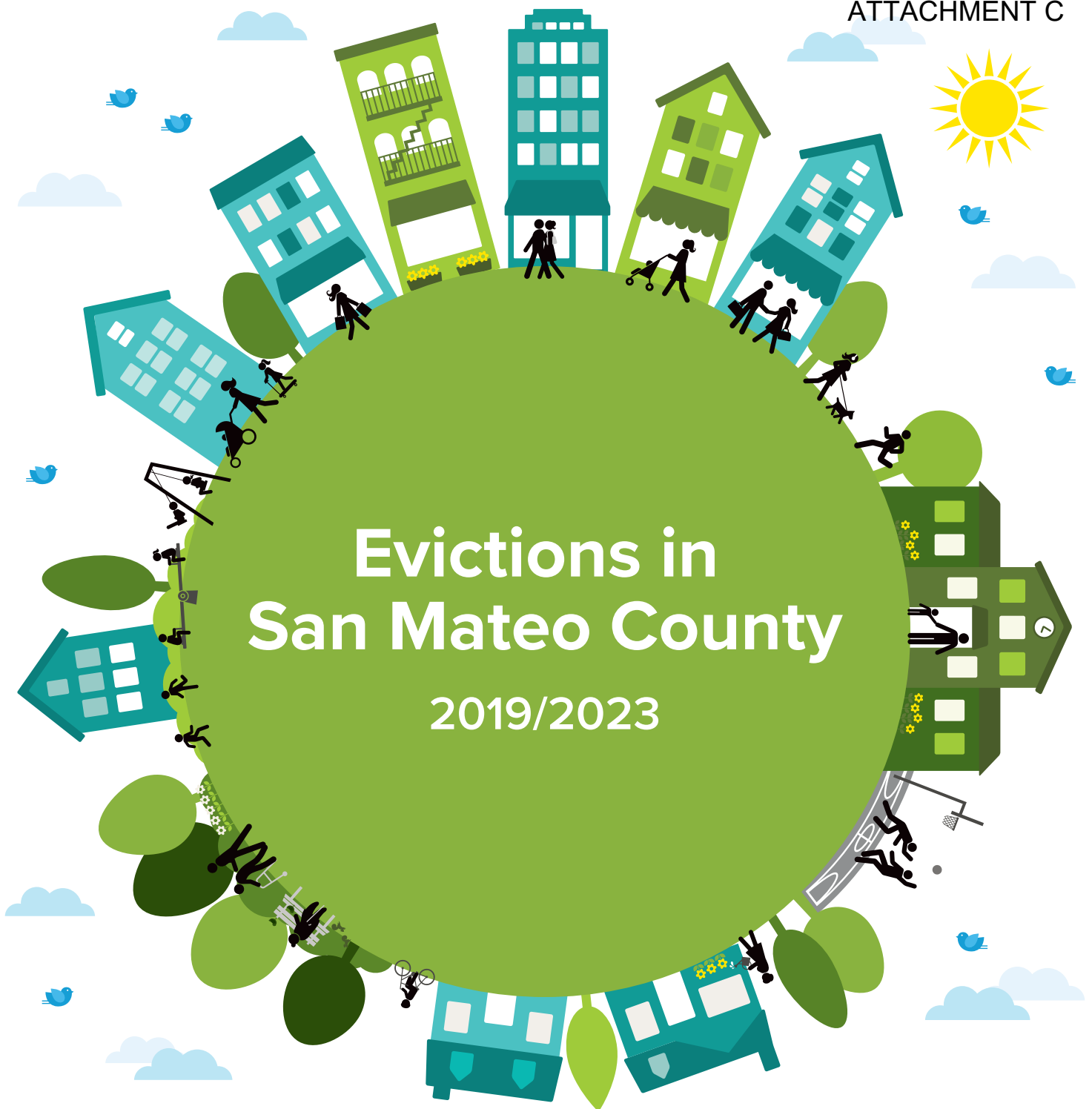
## Protection Strategies

Protection		
	Advantages	Disadvantages
6. <b>12-Month Lease Ordinance</b>	<ul style="list-style-type: none"> <li>• Builds on existing ordinance that could reach large number of residents</li> <li>• Increased stability through longer leases</li> </ul>	<ul style="list-style-type: none"> <li>• May face landlord opposition</li> </ul>
7. Just Cause Eviction Ordinance**	<ul style="list-style-type: none"> <li>• Could be implemented by ordinance</li> <li>• Local ordinance could be extended to single family homes</li> </ul>	<ul style="list-style-type: none"> <li>• May face landlord opposition</li> </ul>
8. Strengthen Tenant Anti-Harassment Ordinance**	<ul style="list-style-type: none"> <li>• Advocate and renter support</li> </ul>	<ul style="list-style-type: none"> <li>• May face landlord opposition</li> </ul>
9. Provide Legal Assistance to Tenants**	<ul style="list-style-type: none"> <li>• Assistance can prevent eviction</li> </ul>	<ul style="list-style-type: none"> <li>• May face landlord opposition</li> </ul>
10. Updated or Expanded Rent Control/Rent Stabilization**	<ul style="list-style-type: none"> <li>• Large impact on tenants; reduce displacement of current residents</li> </ul>	<ul style="list-style-type: none"> <li>• May face landlord opposition</li> <li>• Establishment of rent board may be required.</li> <li>• A rental registry would need to be included to be effective</li> <li>• Does not apply to single family rentals per State law</li> </ul>
11. <b>Foreclosure Prevention/Mortgage and Rental Assistance *</b>	<ul style="list-style-type: none"> <li>• Payments can prevent eviction and displacement</li> </ul>	<ul style="list-style-type: none"> <li>• Higher amount of funding may be needed</li> <li>• May potentially assist a small number of households</li> </ul>
12. Deposit Assistance, particularly for Veterans*	<ul style="list-style-type: none"> <li>• VA and other veteran organizations provide assistance</li> </ul>	
13. Modifications to Tenant Relocation Assistance*	<ul style="list-style-type: none"> <li>• Implemented through ordinance and relocation assistance is paid by landlords</li> </ul>	<ul style="list-style-type: none"> <li>• May face landlord opposition</li> <li>• Enforcement required</li> <li>• May potentially assist only a small number of tenants</li> </ul>
14. Rental Registry/Inventory**	<ul style="list-style-type: none"> <li>• Examples in surrounding cities like East Palo Alto</li> <li>• Program is essential to understanding the rental market/rent stabilization</li> <li>• Helps identify patterns of non-compliance or concerning landlord practices</li> </ul>	<ul style="list-style-type: none"> <li>• May face landlord opposition</li> <li>• Potentially time consuming to implement registry</li> <li>• Privacy concerns may also be raised.</li> <li>• Limited usefulness when not paired with rent stabilization</li> </ul>
15. Develop localized anti-displacement programs to large-scale developments*	<ul style="list-style-type: none"> <li>• Programs and funding can be created to address direct and indirect displacement</li> <li>• Protects existing tenants</li> </ul>	<ul style="list-style-type: none"> <li>• Requires project by project implementation and a possible nexus study to correlate between project and indirect displacement</li> </ul>
16. Create an eviction monitoring and data collection program*	<ul style="list-style-type: none"> <li>• Can be a metric for measuring displacement and impact of anti-displacement strategies</li> </ul>	<ul style="list-style-type: none"> <li>• Increased staff time to collect and monitor data</li> <li>• Data may be difficult to gather</li> </ul>

17.	Consider neighborhood tenant preference for affordable housing *	<ul style="list-style-type: none"> <li>• Creates a higher likelihood that local tenants will be able to access new, affordable housing</li> </ul>	<ul style="list-style-type: none"> <li>• Would require an evaluation of the fair housing implications</li> <li>• City wide preference less likely to raise fair housing concerns</li> <li>• Could impact the speed of tenant placement</li> </ul>
18.	Increase multi-lingual information and outreach about tenant protections*	<ul style="list-style-type: none"> <li>• Can reach large number of residents at a relatively low cost</li> <li>• Increase awareness in available resources and programs</li> </ul>	<ul style="list-style-type: none"> <li>• Increased staff time</li> </ul>
19.	Identify new sources for anti-displacement efforts*	<ul style="list-style-type: none"> <li>• Ongoing effort for staff</li> </ul>	<ul style="list-style-type: none"> <li>• None identified at this time</li> </ul>
20.	Examining Limiting Fees for Tenants Like Laundry, Parking and Utility Costs**	<ul style="list-style-type: none"> <li>• Provides transparency and predictability</li> </ul>	<ul style="list-style-type: none"> <li>• Has not been implemented so no best practices or examples</li> </ul>

## Prosperity Strategies

Prosperity			
		Advantages	Disadvantages
21.	First Time/First Generation Homebuyer Downpayment Assistance	<ul style="list-style-type: none"> <li>• Allows legacy residents to remain</li> <li>• Can help build intergenerational wealth</li> </ul>	<ul style="list-style-type: none"> <li>• May only benefit smaller group of people</li> <li>• Additional funding needed</li> <li>• High cost per household</li> </ul>
22.	Financial Planning Education and Tutoring	<ul style="list-style-type: none"> <li>• Increase awareness in available resources and programs</li> </ul>	<ul style="list-style-type: none"> <li>• Securing funding and engagement barriers.</li> </ul>
23.	Building Pathways to the Tech Economy/Workforce Development	<ul style="list-style-type: none"> <li>• Direct assistance to Belle Haven community</li> </ul>	<ul style="list-style-type: none"> <li>• Funding/political hurdles if funding is minimal</li> </ul>



Research & Analysis by:  
Juliet M. Brodie, Professor of Law & Clinic Director  
Lauren N. Zack, Lecturer in Law & Clinical Supervising Attorney

MillsLegalClinic

StanfordLawSchool

Community Law Clinic

Prepared on Behalf of:



COMMUNITY  
LEGAL SERVICES  
IN EAST PALO ALTO

LEGAL AID SOCIETY  
OF SAN MATEO COUNTY  
Page 1-2.17

# Evictions in San Mateo County

## 2019 & 2023



COMMUNITY  
LEGAL SERVICES  
IN EAST PALO ALTO



February 2025

Research & Analysis by

MillsLegalClinic  
Stanford Law School  
Community Law Clinic

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## **THE SPONSORING ORGANIZATIONS**

The Legal Aid Society of San Mateo County (Legal Aid SMC) and Community Legal Services in East Palo Alto (CLSEPA) are two private legal aid organizations providing free legal services to low-income residents of San Mateo.<sup>1</sup> Each organization includes services to tenants facing unlawful detainer among their priorities, providing a range of full representation, limited assistance at various phases of eviction proceedings, and general advice to tenants at risk of eviction. In the calendar year 2024, Legal Aid SMC provided some form of legal services to more than 825 tenant households; in 2023 CLSEPA closed 800 housing matters for clients.

The Stanford Community Law Clinic (CLC) is one of ten clinics that comprise the Mills Legal Clinic at Stanford Law School. Law students enrolled in CLC are certified law students pursuant to governing California Rules of Court, and, under supervision of licensed attorney-instructors, represent low-income tenants in San Mateo County in eviction matters when CLC is in session (during the academic year). Hewing to the best practices of clinical legal education, CLC's docket is small. In calendar year 2024, CLC students under supervision represented approximately 20 tenant households in eviction matters in San Mateo County. CLC representation is fulsome in scope.

Taking advantage of the clinical instructor capacity for research and access to Stanford research resources, including students in addition to CLC students, CLSEPA, Legal Aid SMC and CLC elected to undertake the present modest study to compare the evictions in San Mateo County in 2019 to those in 2023.

The authors of this report are Juliet Brodie, Professor of Law and CLC Director, and Lauren Zack, Lecturer in Law and CLC Clinical Supervising Attorney.<sup>1</sup>

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<sup>1</sup> Across their various program areas, each organization also serves some residents in Santa Clara County.

## **EXECUTIVE SUMMARY**

Researchers at Stanford University studied the complete universe of residential unlawful detainer (eviction) filings in San Mateo County for calendar years 2019 and 2023, the first full year before and after COVID-19-related moratoria and rental assistance were in place. Key findings include:

- The number of evictions filed in 2023 returned to pre-pandemic level.
- Most evictions are based upon alleged nonpayment of rent.
- Most landlords are represented by counsel and most tenants are not, with the rate of landlord representation increasing from 2019 to 2023.
- Most landlord-plaintiffs are business entities rather than individuals, and the percentage of entity plaintiffs rose significantly from 65% in 2019 to 75% in 2023.
- The percentage of cases that ended in judgment (including default judgment, and as opposed to dismissal), decreased from just over 50% in 2019 to 44% in 2023.
- The rate at which writs of possession were issued in both years was dramatically lower in cases in which the defendant-tenant appeared than in cases where the defendant-tenant defaulted.
- The rate of judgment against defendant in both years was dramatically lower in cases in which the defendant-tenant appeared than in cases where the defendant-tenant defaulted.



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## **INTRODUCTION**

To understand trends in San Mateo County’s unlawful detainer cases, two legal services organizations – Community Legal Services in East Palo Alto (CLSEPA) and the Legal Aid Society of San Mateo County (Legal Aid SMC) – partnered with the Community Law Clinic of Stanford Law School’s Mills Legal Clinic to analyze two complete years’ records of unlawful detainer cases filed in San Mateo County, California. Calendar years 2019 and 2023 were selected because they are respectively (a) the last full year before any COVID-19-related moratoria and rental assistance programs were in place, and (b) the first full year after relevant moratoria had expired. Also importantly, 2023 was the first year during which California’s Tenant Protection Act of 2019 (“TPA”) was in effect when COVID-19 moratoria were not; in other words, the first year during which the impact of the TPA might be tested without confounding moratorium data.

CLSEPA and Legal Aid SMC are private legal services providers serving indigent clients in a range of types of cases in San Mateo County. Each organization has a diverse set of practice areas. For example, Legal Aid SMC’s portfolio includes attorneys and advocates dedicated to elder law, health law, and immigration. CLSEPA, in turn, has units focused on immigration, economic advancement, and consumer issues. Both agencies, however, dedicate resources to housing issues including, with particular urgency, eviction defense. To prevent duplication of effort and to maximize their combined effectiveness, the two organizations collaborate closely with respect to the San Mateo County eviction docket. The two agencies’ combined eviction practices deliver services collectively to a significant proportion of the tenants who are faced with eviction in the County.

Legal Aid SMC and CLSEPA have partnered before to report on their eviction practice. In 2016, the two agencies jointly released the “San Mateo County: Eviction Report 2016.”<sup>2</sup> The report was based upon an analysis of over 3,000 eviction cases handled by the two organizations over a three-year period. Several differences between the 2016 report and the present report are important. First, the raw data for the 2016 report was the agencies’ internal records of client matters and was thus limited to the subset of tenants who sought their assistance. By contrast, the present report is based upon the full universe of unlawful detainers filed in the Superior Court in 2019 and 2023.<sup>3</sup> Second, because the agencies collect certain demographic information about the tenants with whom they work, the 2016 report includes some demographic information (e.g., in 2016 Hispanic/Latino people and African American people comprised 25% and 2.5% respectively of the San Mateo County population, but 49% and 21.4% of the tenants sued for eviction).<sup>4</sup> The present report includes no demographic information, although subsequent efforts to do so are planned. Finally, as noted below, the 2016 report was based on cases filed before passage of the

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<sup>2</sup> This report was created in collaboration with the Anti-Eviction Mapping Project and was funded by the San Francisco Foundation.

<sup>3</sup> Commercial evictions were excluded from both datasets.

<sup>4</sup> San Mateo County: Eviction Report 2016, page 8.

California Tenant Protection Act of 2019. The TPA eliminated “no-cause” eviction in California (in all but a small number of exempted tenancies). The 2016 report found that in 2014-2015, 36% of the eviction notices served were for no-cause.

Hoping to update some of the information learned from the 2016 report, CLSEPA and Legal Aid SMC partnered with the Stanford Community Law Clinic to review and analyze the entire dataset of San Mateo County (residential) unlawful detainer cases in 2019 and 2023. This bulletin is the first report-out on that data.<sup>5</sup>

The agencies were particularly interested in the underlying bases for the unlawful detainers. Studies of evictions across the nation find that the majority of cases arise from the alleged nonpayment of rent; CLSEPA and Legal Aid SMC wished to confirm that trend in San Mateo County, to learn its exact extent, and to compare it to other categories of eviction. They also wished to determine the rates of default judgments, representation by counsel of landlords and attorneys, and the procedural outcomes of the cases (as discussed *infra*, the procedural outcome—dismissal versus judgment versus stayed—does not necessarily track the “in real life” outcome of whether or not possession of the subject premises was returned to the landlord).

As explained in Appendix A, to accomplish the agencies’ goals, the research team sought and received a court order authorizing their (limited) access to otherwise sealed court records, with the mandate that identifying information be accessible only to a small research team and subject to restrictions. The team designed an instrument (shown in Appendix B) on which to record a set of 19 features regarding each unique unlawful detainer case. This report contains the first set of findings from analysis of those features.

## **FINDINGS**

The team’s findings are presented in two tranches. First, overview findings out of the entire data set are presented with respect to:

- Total Number of Cases filed
- Bases for the Underlying Terminations of Tenancy
- Representation by Counsel
- Rate of Default Judgment
- Nature of Plaintiff (Individual versus Entity), and
- Geographic Distribution.

Second, with respect to three datapoints—disposition, resolution by stipulation, and issuance of a writ of possession—data are reported separating **all cases** from that subset of cases in which **defendant did not default** (68% in 2019 and 62% in 2023). This second tranche sheds light on the value to a defendant of appearing in the case and filing an

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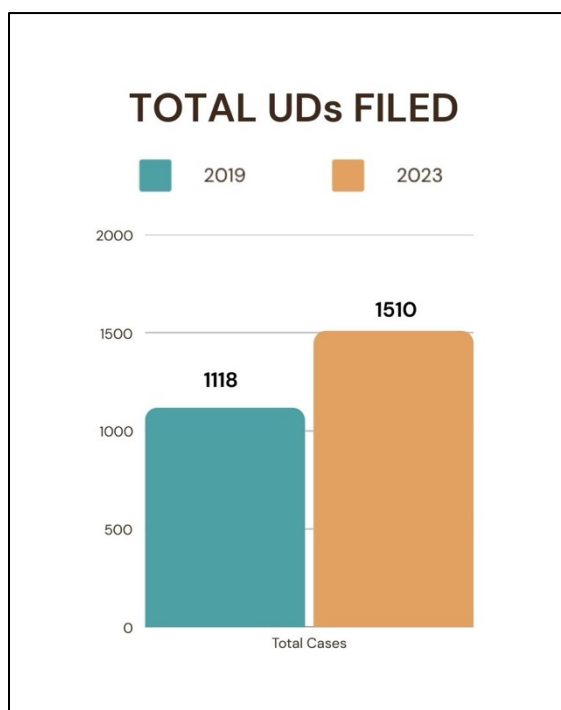
<sup>5</sup> See “Opportunities for Further Analysis” at the end of this report.

answer (as opposed to defaulting). Other than the intuition that it is better to appear and defend oneself, regardless of the nature of the allegation or the merits of the case, are there reasons to believe that appearing in the case leads to a different, if not a better, outcome?

## BASIC FINDINGS

### 1. Total Number of Cases Filed

In calendar year 2023, a total of 1,510 unlawful detainer cases were filed in San Mateo County. This represents an increase of just over 35% from the total number filed in 2019 (1,118).<sup>6</sup> A combination of federal, state, and local COVID-19 related eviction moratoria were in place from March 2020 through June 2022. Accordingly, calendar year 2023 was the first full post-moratoria year. One might expect evictions under those conditions to return to pre-pandemic levels. However, consistent with other data nationwide, evictions in fact were higher in 2023 than before the pandemic.



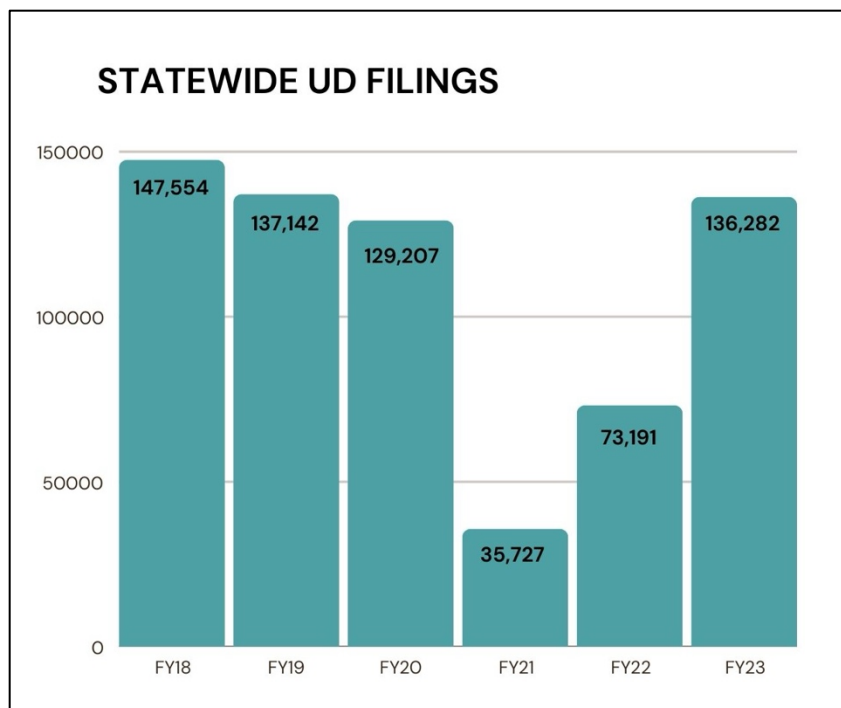
**Figure 1 – Total UDs Filed**

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<sup>6</sup> The data for the bases for the unlawful detainers filed in 2019 are based upon a denominator of 1110 rather than the total number of UD's filed (1118). Eight cases either attached no termination notice to the complaint or were otherwise inconclusive as to the plaintiff's basis for terminating the tenancy, and were therefore excluded from analysis. In 2023, three cases were similarly inconclusive; accordingly the data for that year are based upon a denominator of 1507 rather than the total number, 1510.

In other words, rather than merely returning to levels before the eviction moratoria, evictions have gone up. Nor is this explained exclusively by landlords in 2023 “catching up” on evictions they were barred from filing during the pandemic. The number climbed higher in 2024. According to court records, 1655 residential unlawful detainer cases were filed in San Mateo County in the first eleven months of 2024. If the monthly pace remained the same through December, a total of over 1800 cases will have been filed in 2024, a 20% increase over 2023.

The same is true statewide. The California Judicial Council reports that in FY 2023, statewide unlawful detainer filings had rebounded to exceed the number filed immediately before the COVID-19 pandemic. In FY 2019, the total number of residential unlawful detainers statewide was just over 129,000. The total number dipped to a mere 35,000 at the pandemic low point in 2021, but rose to over 136,000 statewide in FY23, exceeding the pre-pandemic (FY19) number.<sup>7</sup>



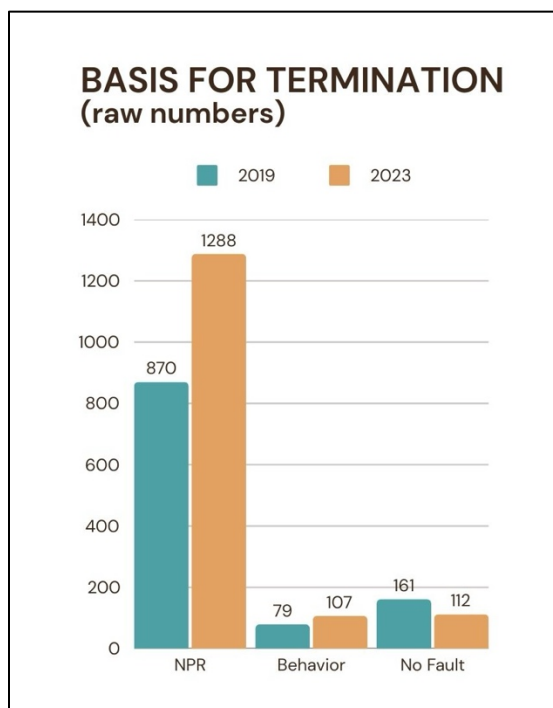
**Figure 2** – Statewide UD Filings

## 2. Basis for the Cause of Action

As predicted, the vast majority of unlawful detainer cases in both years were based upon alleged nonpayment of rent. Perhaps less intuitively, the rate of nonpayment cases was

<sup>7</sup> Judicial Council of California, “2024 Court Statistics Report, Statewide Caseload Trends,” available at <https://courts.ca.gov/news-reference/research-data/court-statistics#id7495>.

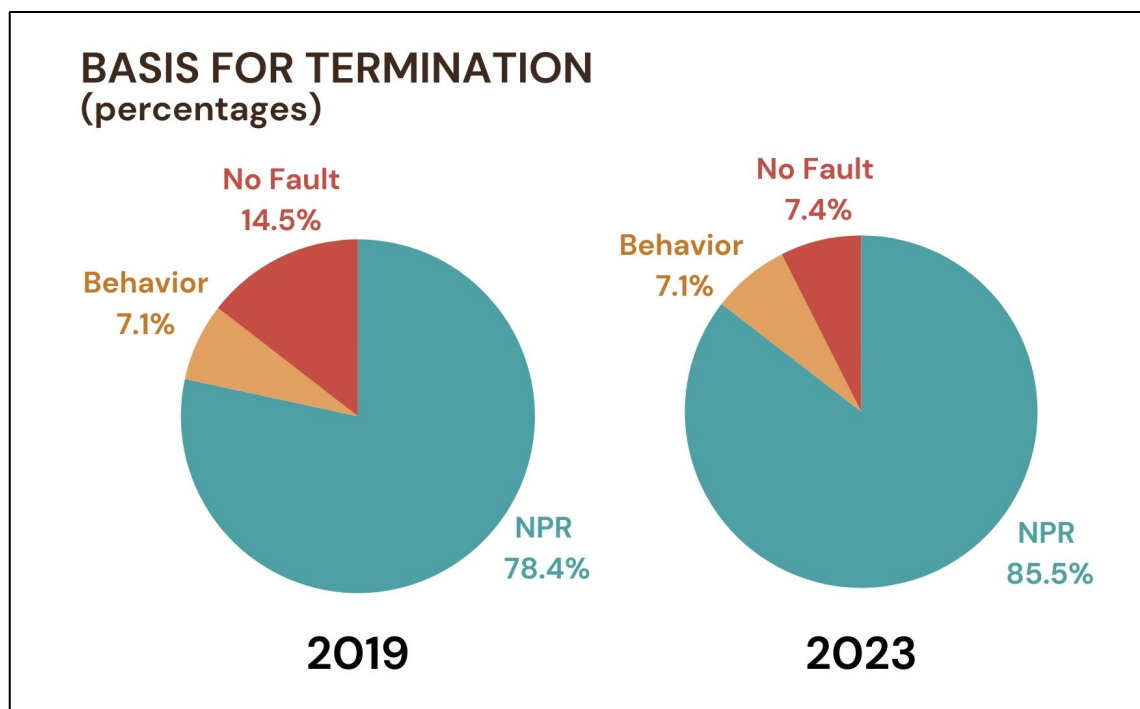
significantly higher in 2023 than in 2019. As the chart below shows, in 2019, over 75% of the total 1,118 unlawful detainers were based upon nonpayment of rent (“NPR”). In 2023, by contrast, over 85% of the cases were based upon alleged rent delinquency. In 2019, over 14% of the unlawful detainer cases filed in the county were based upon no-fault (pre-TPA, these cases would have been based upon the expiration of a 30- or 60-day notice pursuant to then-effective Civil Code 1946). This rate was cut in half by 2023, during which just over 7% of cases arose from no-fault bases. The rate of cases based upon alleged tenant malfeasance other than nonpayment of rent rose slightly from 2019 to 2023, making up 7% and 10.6% of cases in those years respectively.



**Figure 3 - Basis for Termination (Raw Numbers)**

Shown another way, the dominance of nonpayment of rent as the basis for unlawful detainer filings is unmistakable:



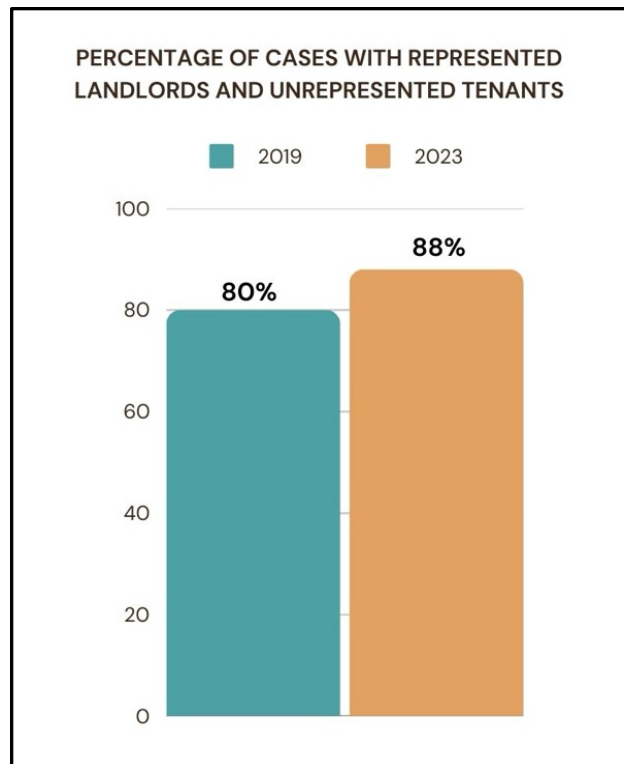


*Figure 4 – Basis For Termination (percentages)*

### 3. Representation of Parties

It is well known that in San Mateo County, and indeed throughout the state and the nation, more landlords are represented by counsel than tenants. The present study shows that the rate of landlord representation in fact rose from 2019 to 2023: 87% of landlord-plaintiffs were represented by an attorney in 2019, with that percentage rising to 92.7% in 2023. By contrast, the percentage of tenants represented by counsel<sup>8</sup> decreased, from 7.7% in 2019 to 4.8% in 2023. Combined, as the chart below shows, the percentage of cases in which there is a **representation imbalance**—where the landlord is represented and the tenant is not—rose significantly, from 80% to 88.3%. Given the 35% increase in the number of unlawful detainer cases in the county overall, absent a collateral increase in resources dedicated to legal services agencies, this rise is unsurprising.

<sup>8</sup> A tenant was coded as “represented” only if an attorney appeared as of record for the tenant. Staff attorneys at CLSEPA and Legal Aid SMC, along with volunteer attorneys in their programs, provide assistance to hundreds of tenants each year, however this limited pro per assistance was not coded in this study as representation. In a handful of cases, where from court documents it could be determined that an attorney appeared with a tenant at a trial date but for the limited purpose of recording a stipulated agreement, that appearance was not included as representation.



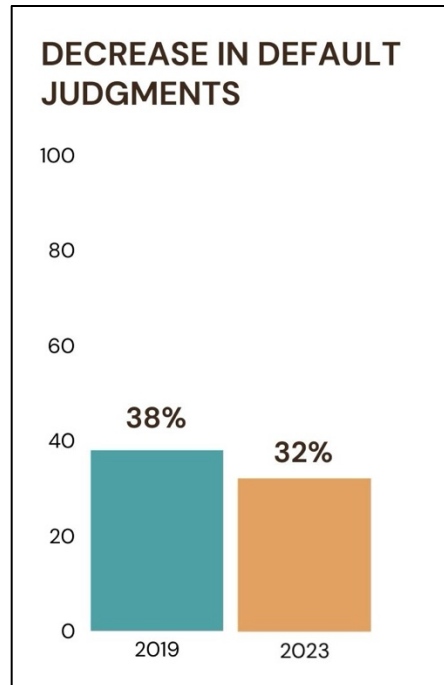
**Figure 5** – *Percentage of Cases with Represented Landlords and Unrepresented Tenants*

#### 4. Rate of Default Judgments

While, as indicated above, the rate of tenant representation declined between 2019 and 2023, so, too, did the rate of default judgments. In 2019, just over 38% of cases filed ended in default (428 cases); in 2023, that rate dropped to 32.6% (492 cases).<sup>9</sup> This finding suggests that legal aid providers, including the two sponsors of this study, were able to increase their answer/response rates, even in the context of a higher overall number of cases. It may be that resources that could have been dedicated to full representation in 2019 were transferred to responsive pleading services in 2023.

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<sup>9</sup> In both study years, the sizeable majority of default judgments were from cases based upon alleged nonpayment of rent in both 2019 and 2023, at 85.1% and 88.2% respectively.



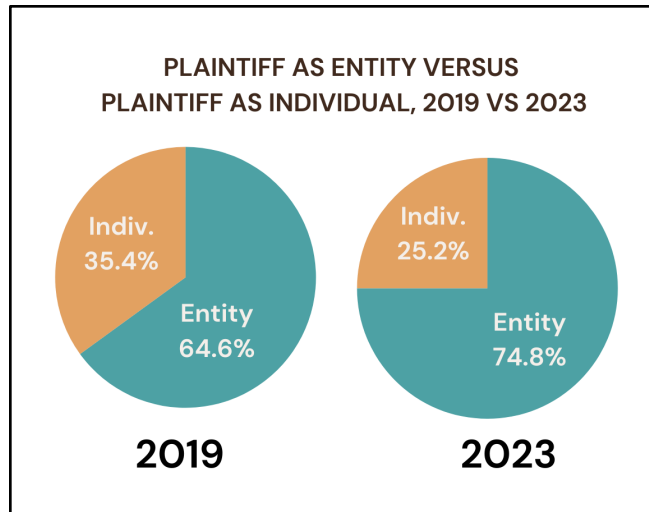
**Figure 6 – Decrease In Default Judgments**

## 5. Nature of Plaintiff

Policymakers and members of the public often differentiate “mom-and-pop” landlords from other, presumably larger, landlord business operations. While not a perfect proxy for “mom-and-pop,” researchers were able to label each plaintiff as either an “individual” or an “entity.”<sup>10</sup> The rate of entity plaintiffs rose from approximately two-thirds of all cases to approximately three-quarters:

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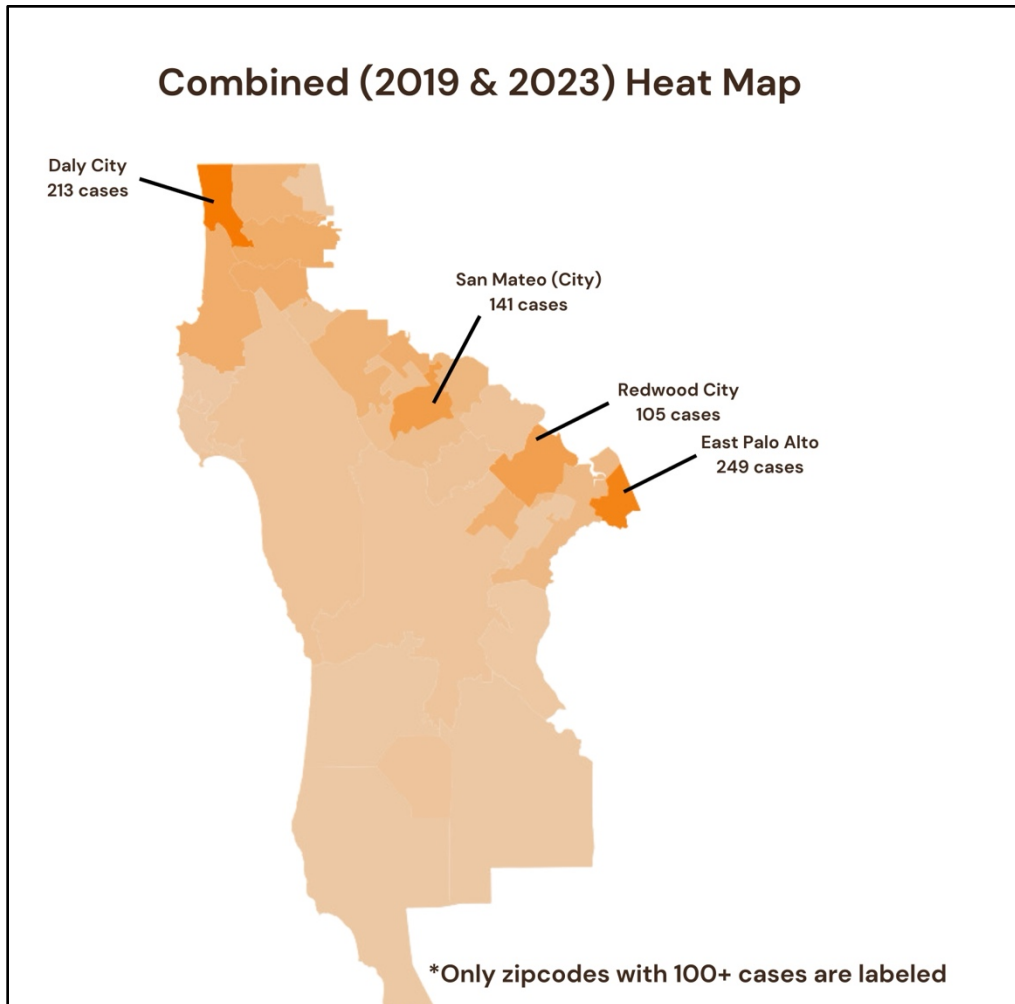
<sup>10</sup> Any plaintiff identified as an “LLC,” or with “Inc.” or “Corp.” in its name was coded as a business entity. Any plaintiff name appearing as a person’s name (or, in a few instances, plural individuals, but without an entity identifier) was coded as an “individual.” The small number of plaintiffs who identified themselves on the complaint either as trustees of a trust or as an “agent” of another person were counted as individuals.



**Figure 7** – Plaintiff as Entity versus Plaintiff as Individual, 2019 vs 2023

## 6. Geographic Distribution

Researchers also coded the city and zip code of the subject premises in each unlawful detainer case. Consistent with the 2016 Eviction Report, the below-identified cities are the only ones in the County with more than 100 total unlawful detainer filings in the two calendar years at issue.



*Figure 8 – Combined (2019 & 2023) Heat Map*

## RESPONDING TENANT DATA

As explained above, with respect to three specific features, researchers compared all cases in a given year to that subset of cases in which the defendant answered; in other words, researchers first ran the number for all cases, and then removed the cases with defaulting defendants from the data denominator in order to compare the results. With respect to all three features—disposition, stipulation, and writ—the effect of filing an answer was significant.<sup>11</sup>

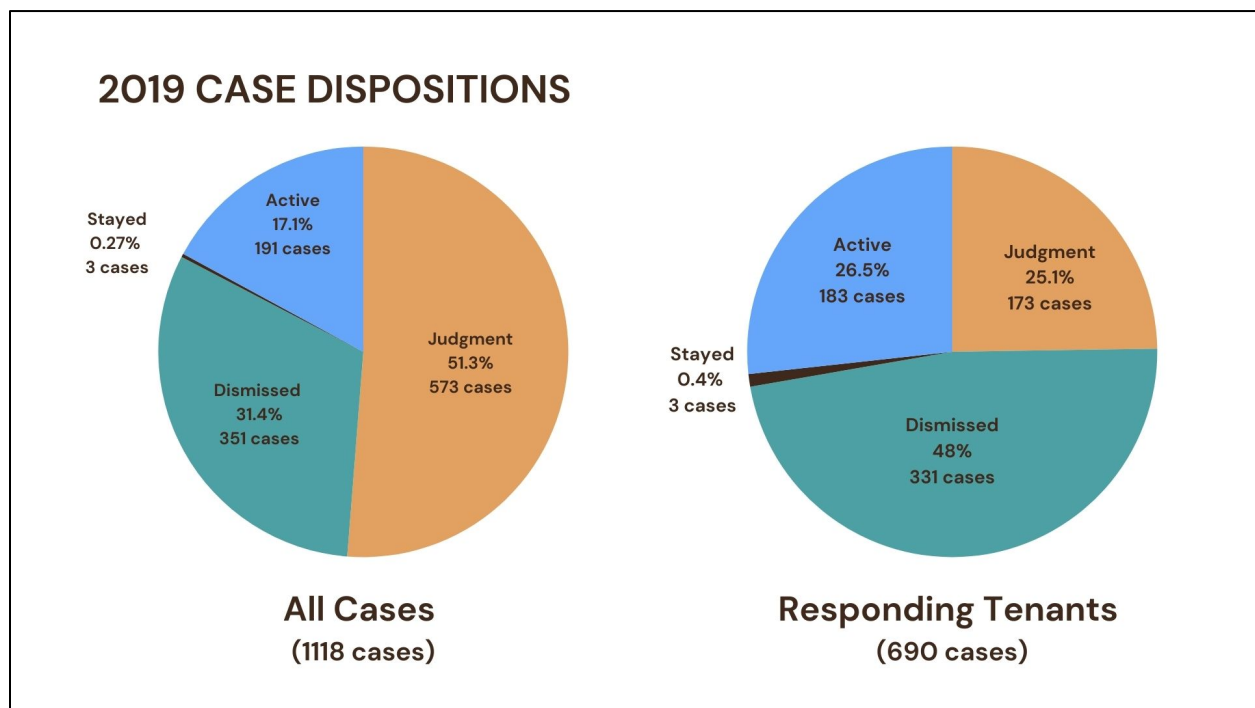
<sup>11</sup> Correlation does not prove causation. That is, absent a deeper analysis, it is not certain that it was the filing of an answer that determined the different numbers. It may be that cases without meritorious defenses are over-represented in the defaults. This hypothesis is subject to testing in later studies.

## 1. Dispositions

The disposition of every case was recorded according to the four categories used by the court system on its Case Summaries: dismissed, judgment, stayed, or active. If judgment had been entered, researchers recorded whether judgment was for plaintiff or defendant.

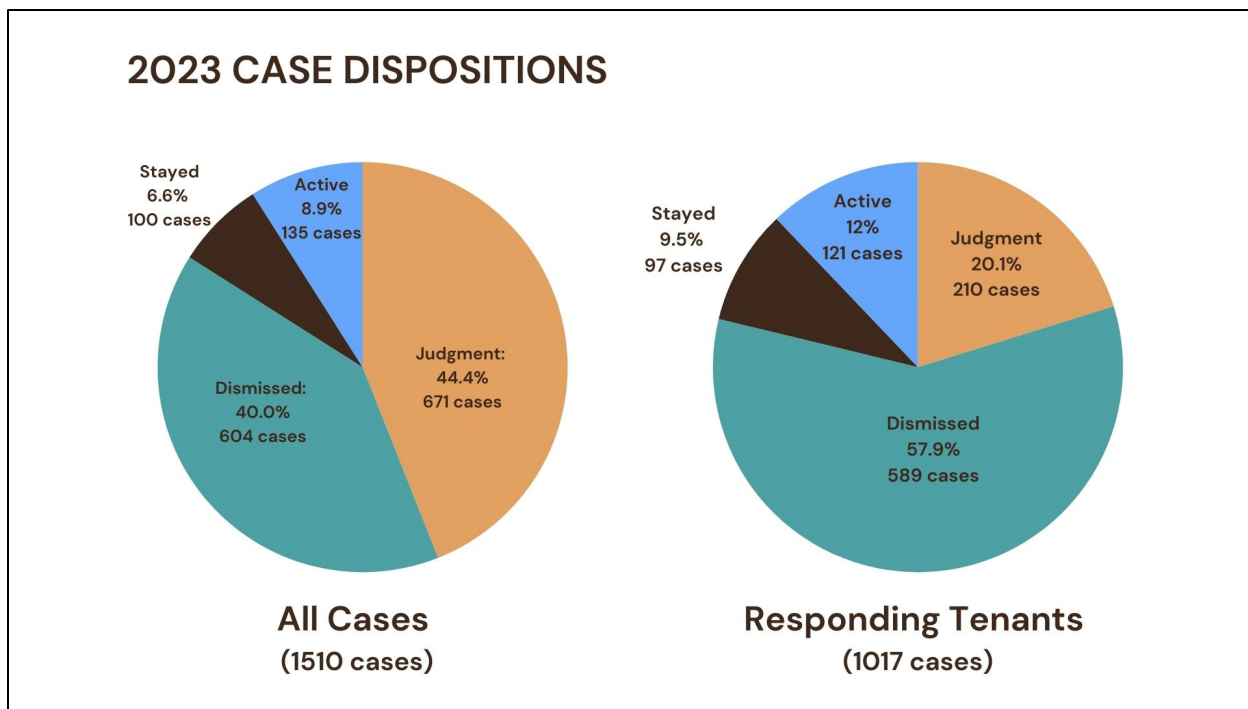
Disposition data are among the most interesting in the study. As the below chart shows, the rate of judgment decreased from 2019 to 2023, with the rate of dismissal increasing significantly. In 2019, over half (51.3%) of the filed cases ended in judgment, while 31.4% resulted in dismissal. In comparison, in 2023, judgment was entered in only 44.4% of the cases, with fully 40% ending in dismissal.

Interestingly, and perhaps counter-intuitively, a larger percentage of 2019 cases (17.1%) remain active than do 2023 cases (8.9%). It is less surprising, given the typical duration of a stay, that a higher share of 2023 cases remain stayed (6.6%) than of the 2019 cases (0.27%).



**Figure 9 – 2019 Case Dispositions**





*Figure 10 – 2023 Case Dispositions*

#### *Disposition v. Outcome*

It is tempting to assume that a disposition of “judgment” favors the plaintiff-landlord, and that a disposition of “dismissal” favors the defendant-tenant, with a cause of action being dismissed and defendant remaining in possession of the subject premises. Indeed, the data do reveal that, as a practical matter, all judgments entered were in plaintiff’s favor: in 2019, the percentage of judgments in the plaintiff’s favor was 99.65%, and in 2023 it was 99.85%.<sup>12</sup> Some of these judgments, however, are the result of a stipulated agreement between the parties that provided for a judgment in the plaintiff’s favor (that might be shielded from public view pursuant to Cal. Code of Civ. Proc. sec. 1161.2).

Even more importantly, “dismissal” does not necessarily mean that a defendant-tenant remained in possession. Some of the 40% of cases that result in dismissal do so after the defendant moves out pursuant to a stipulation. That is, the consideration for surrendering possession timely is often the dismissal of the case. For this reason, it is impossible to use the judgment/dismissal variable as a proxy for actual displacement or changes in possession.

<sup>12</sup> The percentage of these judgments that are taken by default did not change significantly between 2019 and 2023. Defaults accounted for 70% and 68.6% in the two years respectively.

## 2. Stipulations

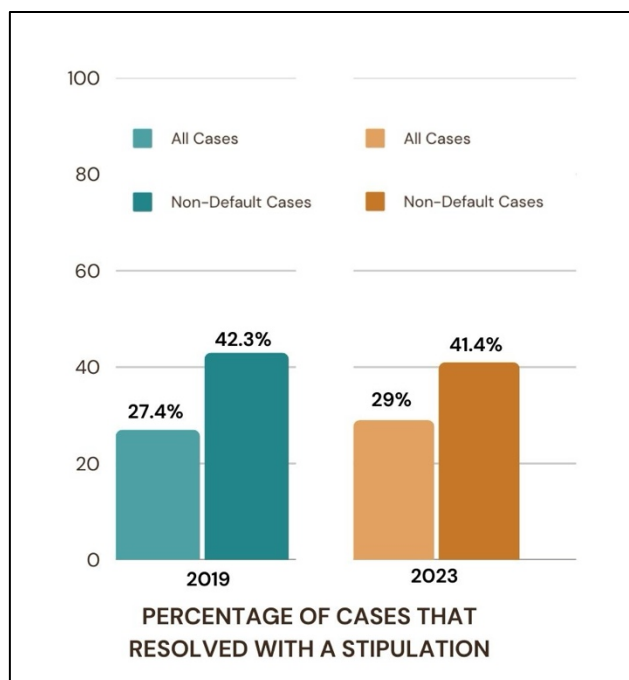
In both study years, most of the unlawful detainer cases ended with a status of either judgment (for plaintiff) or dismissal. (Approximately 15% in both years were in the status of either “active” or “stayed.”) There are of course multiple routes to both outcomes. A judgment can result from a trial<sup>13</sup> or a default; a dismissal can be voluntary or the outcome of a successful defendant demurrer. In addition, either judgment or dismissal can follow the parties entering into a stipulation. A typical framework for a stipulation in an unlawful detainer case is that the tenant agrees to perform certain terms (perhaps making payments, perhaps moving out, perhaps ceasing a disruptive behavior), with judgment resulting in the event of breach and dismissal resulting in the event of complete performance.

Between a quarter and a third of the unlawful detainer cases filed in both 2019 (27.37%) and 2023 (29.07%) included the filing of a stipulation disposing of the case. In counting a case as having a stipulation, the research team excluded interim, procedural stipulations—such as the parties’ stipulation to the matter being heard by a court commissioner—and counted only those stipulations with titles such as “Stipulation for Judgment,” “Stipulated Judgment,” or “Stipulation for Judgment or Dismissal.” Similarly, stipulations to vacate a default judgment, or to extend a filing deadline, were excluded.

It is *sui generis* that a tenant who does not appear at all in the action, and against whom a default judgment is entered, does not reach a stipulated agreement with the plaintiff-landlord. Accordingly, the rate of stipulations when those default judgments are removed from the denominator is also of interest. When the cases with default judgments are removed from the data, the rate of stipulations is higher. As the bar graph below illustrates, over 40% of cases with appearing defendants in both 2019 and 2023 resulted in a stipulation (compared with the 27-29% of all defendants).

---

<sup>13</sup> Trials are truly rare in San Mateo County unlawful detainers. Fewer than 4% of all cases went to trial on the merits in both 2019 and 2023 (brief trials where evidence was proffered were counted; appearances at “trial dates” where stipulations were entered were not).



**Figure 11** – *Percentage of Cases that Resolved with a Stipulation*

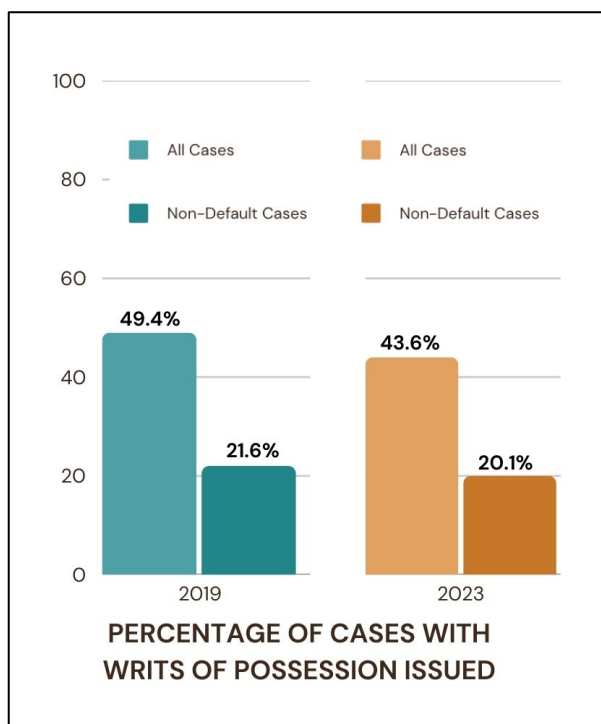
### 3. Writs of Possession Issued

A writ of possession for the premises was issued in 49.4% and 43.6% of all unlawful detainer cases in 2019 and 2023 respectively—notably, fewer than 50% in both years.<sup>14</sup> For context, 30% and 40% of all cases in the two years, respectively, were dismissed (rather than judgment being entered for plaintiff, which is a prerequisite to a writ of possession being issued).

What is most notable from a policy perspective, however, is the dramatic difference in the percentage of total cases in which a writ was issued compared with the percentage in those cases in which the defendant appeared. To explain: a writ of possession was issued in 49.4% of the 1,118 total unlawful detainer cases filed in 2019 in San Mateo County. If, however, we remove from the analysis those cases in which a default judgment was entered—that is, restrict the analysis to cases in which the defendant-tenant appeared and filed a response to the lawsuit—the likelihood of a writ being issued dropped dramatically, to 21.6%. The numbers in 2023 follow the same pattern: 43.6% of the total cases ended with the issuance of a writ, but only 20.1% of the cases in which the defendant appeared ended that way. The implications of this could be significant from an access to counsel perspective, because presumably access to an attorney, even a limited

<sup>14</sup> Importantly, this figure represents writs that were *issued* by the court, and not necessarily writs that were executed by the sheriff's department. There is no reason to assume a significant drop off between writs issued and executed, but researchers did not seek access to sheriff's department data about service and/or execution of writs of possession after they were issued by the court.

scope attorney who helps only with response paperwork, increases the chance that a tenant will file a response. In turn, that filing of a response dramatically decreases the chances of a writ being issued.<sup>15</sup>



*Figure 12 – Percentage of Cases with Writs of Possession Issued*

## OPPORTUNITIES FOR FURTHER ANALYSIS

The case documents available for this study have more lessons to teach. Researchers anticipate continuing to review, consistent with the court’s order, certain documents within the case files. Three specific research projects are expected, and more may be identified.

### 1. Demographic Analysis

Using the unique case numbers that appear both in the complete court records and in the sponsoring agencies’ internal databases, the research team hopes to identify the subset of cases in 2019 and 2023 for which there are shared data. For example, Legal Aid SMC includes age and gender of the lead client for each of its unlawful detainer matters.

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<sup>15</sup> It is possible that tenants without valid defenses are over-represented in the default judgment pool, and thus that their filing responses would not necessarily keep the writ rate as low as it was in 2019 and 2023. It is equally possible that the merits of the defenses are identical in the two pools.

Marrying up the Legal Aid SMC data with the complete court data will provide additional insight into the communities impacted by the eviction filings in the county.

## 2. Motion Practice

The complete court data includes any and all law and motion matters that defendants have raised in the unlawful detainer cases, but these motions have not yet been analyzed. Researchers hope to be able to answer questions such as:

- How many demurrers are filed by defendants, broken down by in propria persona filings and filings by counsel of record?
- Does the rate of demurrer differ among the three bases for the termination (nonpayment, behavior, no-fault)?
- What are the bases of those demurrers?
- What is the rate of those demurrers being granted?
- If a demurrer is granted, does Plaintiff typically bring another case against the same Defendant and, if so, is it predicated upon the same alleged basis for unlawful detainer?

A similar set of questions can be asked about other dispositive motions, such as motions for summary judgment and motions for judgment on the pleadings.

## 3. Post-Judgment Relief

The cases in the dataset have not yet been reviewed for the presence of post-judgment relief, such as motions for relief from forfeiture and applications for stay of enforcement for judgment.

## 4. Amount of Rent Demanded

The amount of rent demanded in the termination notices giving rise to the nonpayment of rent eviction cases has not been analyzed. Policymakers might be curious whether there are trends in how long plaintiff-landlords are likely to wait before serving a notice. This data could be useful in forming a strategy for making rental assistance available to struggling tenants.

# APPENDIX A: METHODOLOGY

Because eviction court records are protected from public view, researchers needed a court order to gain access to the records of eviction cases in 2019 and 2023. California Code of Civil Procedure section 1161.2 provides that for the first 60 days after an unlawful detainer case is filed, access to its record (court file, index, and register of actions) are available only to an enumerated list of persons and circumstances. Thereafter, the records are publicly available only if a judgment for the plaintiff and against all defendants was entered within those sixty days.<sup>16</sup> This limited access statute, however, empowers the court to provide unlimited access to unlawful detainer records upon a finding of *good cause* (Cal. Code of Civ. Proc. § 1161.2(a)(1)(D)). Relying on that subsection, and its policy rationale to enable analysis of court information of interest to the public, researchers sought an order from then Presiding Judge, Elizabeth K. Lee, granting them access to all court records for unlawful detainer cases filed in 2019 and 2023. That Order was granted, and included specific provisions regarding the researchers' duty to anonymize all information.

Based on Judge Lee's order, Court staff enabled a very small number of researchers to have access via Odyssey to all 2019 and 2023 unlawful detainer files (for a limited time).<sup>17</sup> A Stanford computer science graduate student was engaged to electronically collect all of the documents associated with each case and to create accessible files containing case documents. These files were stored in a secure drive, accessible only to the small number of researchers permitted by the court order.

During the summer of 2024, undergraduate research assistants were engaged to review the court documents and extract from them core features of interest. Researchers designed an instrument onto which research assistants recorded nineteen (non-identifying) features of each case file.<sup>18</sup> The features collected and recorded for each case included:

- Whether the plaintiff was a business entity or an individual,<sup>19</sup>
- The city and zip code in which the subject premises were located,
- Whether the case ended with a default judgment (a default that was later vacated was not included as "default judgment"),
- Whether plaintiff and/or defendants were represented (if multiple defendants, the representation of any defendant resulted in a "Yes" coding in this domain),

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<sup>16</sup> Cal. Code of Civ. Proc. § 1161.2(a)(1)(F).

<sup>17</sup> Based on their knowledge of court data entry coding, Court staff eliminated commercial unlawful detainer matters from the dataset.

<sup>18</sup> A blank version of the instrument is shown in Appendix B.

<sup>19</sup> As discussed *infra*, plaintiffs that were trustees or other agents were counted as individuals.

- If the defendant filed a response, whether it was an answer or a motion,
- Whether a stipulation disposing of the case was entered,
- The disposition of the case (Dismissal, Judgment, Stayed, or Active), and
- If judgment, for which party.

Crucially for research purposes, the actual basis for the termination notice underlying each unlawful detainer case was recorded. California law provides fifteen unique bases to terminate a tenancy (see Cal. Civ. Code sec. 1946.2). These are often categorized as eleven “tenant fault” bases (including, for example, nonpayment of rent, nuisance, criminal activity, breach of lease, refusal to permit lawful landlord entry) and four “tenant no-fault” bases (including owner- or family member move in, or the need to perform substantial remodeling of the premises). The research team batched the fifteen bases into three types:

- (a) nonpayment of rent (Civ. Code sec. 1946.2(B)(1)(A),
- (b) other tenant fault behavior (Civ. Code sec. 1946.2(B)(1)(B)-(K), and
- (c) no-fault (Civ. Code sec. 1946.2(B)(2)(A)-(D).

The basis for each case was determined by reviewing the termination notice attached to the complaint (as required by CCP 1166) and, where possible, confirming that it was accurately matched within the four corners of the complaint as well. One hundred percent of the cases were coded into one of these three categories.

# APPENDIX B: BLANK INSTRUMENT

## NINETEEN DATA FEATURES CAPTURED FOR EACH CASE

Case Number	Filing Date	Case Status	Plaintiff	Plaintiff Attorney?	If Yes: Attorney Name	Defendant Attorney?	If Yes: Attorney Name	Defendant City	Defendant Zip Code
If Judgment, "awarded to" whom?	Fee Waiver Granted?	Default Judgment?	Stipulation?	Name of Stipulation Document	Trial?	Writ of Possession Issued?	Basis for UD Notice	If NPR: Habitability ?	

*Figure 13 – Data Features Captured for Each Case*



## **ACKNOWLEDGMENTS**

<sup>i</sup> Thanks, in chronological order, are due to many people at Stanford University and at the San Mateo County Superior Court for important roles in making this report possible. First, many thanks to the staff of the San Mateo County Superior Court, who effectuated the order of the Presiding Judge to enable Professor Brodie and her small team to have access to the court records. Jeniffer Alcantara, who provided timely and flawless troubleshooting, in particular has the authors' thanks.

Second, the authors thank Stanford Computer Science Ph.D. candidate, Thanawan (Ly-Ly) Atchariyachanvanit for her exceptional work accessing and anonymizing the raw court records made available by the court's staff and transforming them into organized files that (non-tech savvy) clinical teachers/legal aid lawyers could use. Ly-Ly's work gave the authors an outstanding introduction to the possibilities of collaboration between computer scientists and legal researchers, which are valuable beyond measure as the legal world continues its digitalization. Thanks, too, to Stanford Computer Science professor Chris Piesch, for identifying the prospect of collaboration and introducing the authors to Ly-Ly.

The bulk of the work underlying this report was the individualized review of the anonymized case documents for each of the 2500+ cases in the dataset. This work was performed by two extraordinary groups of Stanford undergraduate students who comprised the research team. In winter 2024, students enrolled in the Just Transitions class at Stanford launched the project. The authors thank Professor Sibyl Diver for convening the class and for connecting us with Joshua Alvarez, Anusha Nadkarni, Esha Gurung Thapa, Samantha Heredia, and Iliana Crisostomo under the leadership of teaching assistants Angel Manuel De Dios and Arushi Goyal Gupta. This pilot phase of the work was supplemented in the summer of 2024 by Stanford undergraduates Elmer Santos, Tishrei Lee Movich-Fields, Sarah Nirit Bloom, Khusbu Khatri Adhikari, Trevon Marshall, Cesar Rodriguez Ibarra and Yana Kim. Special thanks are owed to Cesar and Yana, who extended their work to include the design and preparation of the data visualizations used herein.

Finally, thanks, too, to Stanford Law Student Lauren Romagnoli who joined the project in its final phases for add-on data analysis and drafting/editing work and to Dolfin Leung for design of the final product, and to Laura Castillo-Ruiz for expert production assistance. Professor Brodie also acknowledges the financial support that Stanford Law School provides to the research activities of its faculty.

# Evictions in the Nine-County Bay Area

July 2025



ASSOCIATION OF BAY AREA GOVERNMENTS  
METROPOLITAN TRANSPORTATION COMMISSION

# Acknowledgments

The Bay Area Eviction Study was commissioned by the Bay Area Housing Finance Authority (BAHFA). Research and analysis for this report were conducted by Catherine Guimond of Centro Legal de la Raza and Terra Graziani, Dan Sakaguchi and Arushi Gupta of the Anti-Eviction Mapping Project. The study team also included Erin McElroy, Nitin Mogral and Alex Werth. Allison Chan of the Anti-Eviction Mapping Project provided graphic design. BAHFA staff authored all final reports with support from the study team.

The research was supported by a Tenant Legal Services Advisory Group comprised of representatives from tenant legal services organizations in each county. We thank the Advisory Group members for their time and expertise.

We are grateful to the dozens of public and nonprofit entities that provided eviction-related data for use in this study. This includes staff in city and county housing departments, sheriff offices and Superior Courts who compiled quantitative data from their public records in response to our requests. It also includes staff from tenant legal services organizations and other nonprofit social service organizations who contributed their knowledge and experience by participating in a survey and interviews that have added valuable context to the public quantitative data.

This study was funded in part by the San Francisco Foundation.

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# Introduction

The Bay Area Housing Finance Authority (BAHFA) commissioned the Bay Area Eviction Study to better understand the current eviction landscape across the region as part of its mandate to advance affordable housing across Production, Preservation and Protections (the “3Ps”)<sup>1</sup>. The research team collected and studied data from county Superior Courts, sheriffs’ offices, local agencies (as available by jurisdiction), the California Judicial Council and legal service organizations. Tenant legal services organizations provided in-depth data through a survey, and other tenant serving organizations provided information through interviews from across the region. The findings are organized into multiple regional and local reports and an interactive data tool that are available on the BAHFA website.

There are no national requirements for how courts maintain or share data.<sup>2</sup> Eviction data is known to be difficult to obtain in California due to state law that protects tenants by automatically sealing most eviction court records unless the landlord obtains a judgment in their favor within 60 days of filing.<sup>3</sup> This means that eviction filings where the tenant prevailed or reached a settlement, or where the landlord dropped the case, cannot be discovered during background or credit checks. This protects tenants from being denied housing simply because a case has been filed against them.<sup>4</sup> It also means that such cases are generally not available in the public record. While these protections are vital for tenants to secure new housing, they complicate the ability of researchers to analyze the trends and impacts of evictions based on court records.<sup>5</sup>

There have been several efforts to obtain eviction data in a few counties within the Bay Area.<sup>6</sup> However, this report is the first known attempt to bring together eviction data from state, county and local data sources across the nine-county Bay Area.

Overall, the study found that rates of court evictions have returned to or surpassed pre-pandemic levels in eight of the nine counties. Such formal evictions are only part of a broader landscape of housing instability that encompasses both court proceedings as well as informal evictions. The study also found that tenants' need for support significantly outstrips legal services capacity regionwide. These findings reinforce the importance of tenant protections as a regional issue affecting housing stability and as a core part of BAHFA's founding mission.

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## Key Findings

- **Approximately 21,767 eviction lawsuits (formal court evictions) were filed in the region from July 2023-June 2024, meeting or exceeding pre-pandemic levels in eight of the nine counties.** The data indicate a sustained increase beyond the spikes seen when pandemic-era eviction moratoria ended in 2022-23.<sup>7</sup>
- A key research question was to understand variation across the nine counties. At a regional level, **the eviction rates in fiscal year 2023-24 were variable, with the highest rates in Solano, Contra Costa and Alameda counties.** Eviction rates were particularly high in gentrifying urban areas and eastern suburban areas that have seen increasing rates of poverty over the past decade.
- Regionwide data about the causes of eviction could not be obtained. However, data available from some cities and counties show that **inability to pay rent is cited as the legal cause of eviction in 85-97% of eviction notices.** This finding highlights the role of the region's housing affordability challenges in eviction risk.
- Similarly, regional data about default judgements in eviction lawsuits where a court rules in favor of a landlord because a tenant failed to respond — rather than based on the merits of the case — is difficult to obtain in consistent and reliable formats. No regional data were available.

after reviewing default rates from multiple data sources, the study found default rates in nearly every county between 30-50%. This indicates that **roughly one-third to half of tenants lose their eviction cases without the opportunity to present a defense.**

- While also unavailable for the region, two counties' data on tenant and landlord representation show a large gap. In San Francisco, which is the only jurisdiction in the region with a tenant "right to counsel," 45% of tenants were represented compared to 96% of landlords. In San Mateo County, only 4% of tenants facing eviction were represented compared to 93% of landlords. **This generally follows the rate found at the national level, where on average 4% of tenants and 83% of landlords are represented in eviction cases.**<sup>8</sup>
- Consistent with local and national research, **census tracts with high proportions of renters of color, households with children and female headed households faced higher rates of eviction across the region.**

These findings contribute to a growing body of research at the national level to understand the prevalence, causes and consequences of evictions.<sup>9</sup> At the same time, the study highlights limitations on the availability and quality of eviction data, including the lack of consistent and detailed case-level data across geographies. This points to a need for structural improvements to enhance eviction data collection and management systems. The findings also suggest an ongoing role for BAHFA to support cross-jurisdictional efforts that enable data-driven policy and investment decisions to address housing instability across the Bay Area.

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## About the Eviction Process

Eviction lawsuits, legally known as “unlawful detainers,” follow a process primarily governed by state law.<sup>10</sup> Each step in this process generates specific documentation (bolded below):

1. The landlord sends a **notice of termination of tenancy** to the tenant. State law does not require tracking of eviction notices. Ten jurisdictions in the Bay Area collect some data about eviction notices at the local level and seven of these collect all notice data.<sup>11</sup> Not all eviction notices result in eviction lawsuits. The tenant may resolve the issue stated in the notice, for example, by paying the rent they owe within the specified period (typically three days). Alternatively, tenants may move out upon receiving an eviction notice, before the matter proceeds to the court process.
2. Following the notice deadline, landlords can file an **eviction lawsuit** with the county Superior Court. Eviction lawsuits are accelerated proceedings that typically move through the court system in a matter of weeks, with a median duration of six weeks (including default judgments) in the Bay Area based on court records. This is significantly faster than other types of court cases, which often take years rather than weeks.
3. Upon receiving formal lawsuit notification, tenants have a brief window to file an **answer or other responsive pleading**. Historically, tenants had only five days to respond; state law was amended recently to extend the timeline to 10 days, effective January 1, 2025.<sup>12</sup> Failure to respond results in a **default judgment** against tenants, and they generally lose the opportunity to contest the eviction.<sup>13</sup>
4. If the tenant files an answer or other pleading, the case will make its way through the legal process and will ultimately be resolved by a **trial, dismissal or settlement agreement** (settlement agreements are the most frequent outcome). Settlements can be either move-out or stay agreements that resolve the case through negotiation rather than a judicial decision.<sup>14</sup>



5. If a case is decided against the tenant — via a default judgment or a judgment later in the process — the court rules to return possession of the unit to the landlord and issues a **writ of possession**.
6. If the tenant does not move out, the **sheriff will execute the writ** and lock the tenant out.

There is little officially collected data on what happens to tenants following an eviction court proceeding. Previous research has found that when tenants must move out due to eviction, there are long-term negative effects on the household's social and economic status, health, housing quality and housing stability, up to and including homelessness.<sup>15</sup>

### Informal Evictions

The court system only includes formal eviction lawsuits. However, national studies have found that informal evictions are two to three times more common than court evictions.<sup>16</sup> Informal evictions can take many forms: abusive or harassing behavior from property managers, refusal to repair health and safety violations like severe leaks and mold, or illegally shutting off utilities like hot water. What makes them informal is that they do not follow the required court process, making them difficult to track.

According to Judicial Council data between July 2023 and June 2024, 21,767 eviction lawsuits were filed across the Bay Area. Combining local eviction data with the national studies of informal eviction rates, an estimated 43,000 to 65,000 informal evictions may have taken place in the Bay Area in the same period. As such, **court eviction data may represent a significant undercount of the total scale of displacement occurring across the region.**

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## Methods

BAHFA requested eviction data from January 2001 through December 2023 through email and public record requests to each county Superior Court, county sheriff's office, and where available, local city agencies. However, the quality of data from before 2015 was not high enough to conduct reliable analyses at the regional level.

### Methodology Report

For more details on methods and limitations, view the separate report on the [BAHFA website](#).

The study team was unable to secure usable eviction lawsuit data from the Superior Court in Santa Clara County. The study team received only limited data from the courts in Marin, Napa and Solano counties. BAHFA and the study team attempted to secure data from every court through repeated requests and outreach over a period of nine months. Given the lack of adequate court data from Marin, Napa, Santa Clara and Solano counties, some analyses in this report that require specific fields and case data do not include these counties.

To supplement or replace data provided to the research team by county courts, the study uses aggregate data from 2015 through the first half of 2024 on eviction lawsuits collected by the California Judicial Council (CJC). In addition to filling in gaps in court-provided data, CJC data from 2023-24 allows analysis that gives a fuller picture of evictions after the end of pandemic-era eviction moratoria. These data account for limited unlawful detainer cases (cases involving less than \$35,000) and do not include unlimited cases.

Data available from the Superior Courts and CJC do not include information about the causes of eviction lawsuits. For this study, the only available data on the reported causes of eviction come from city administered programs in Berkeley, Hayward, Mountain View, Oakland, Richmond and San Jose.<sup>17</sup>

The findings collected from the survey of tenant legal service providers and interviews with tenant-serving organizations are documented in companion reports found on the BAHFA website. These data are referenced in this report as appropriate to add context and nuance to the court eviction findings.

# Evictions in the Bay Area

## Evictions Post COVID-19 Pandemic

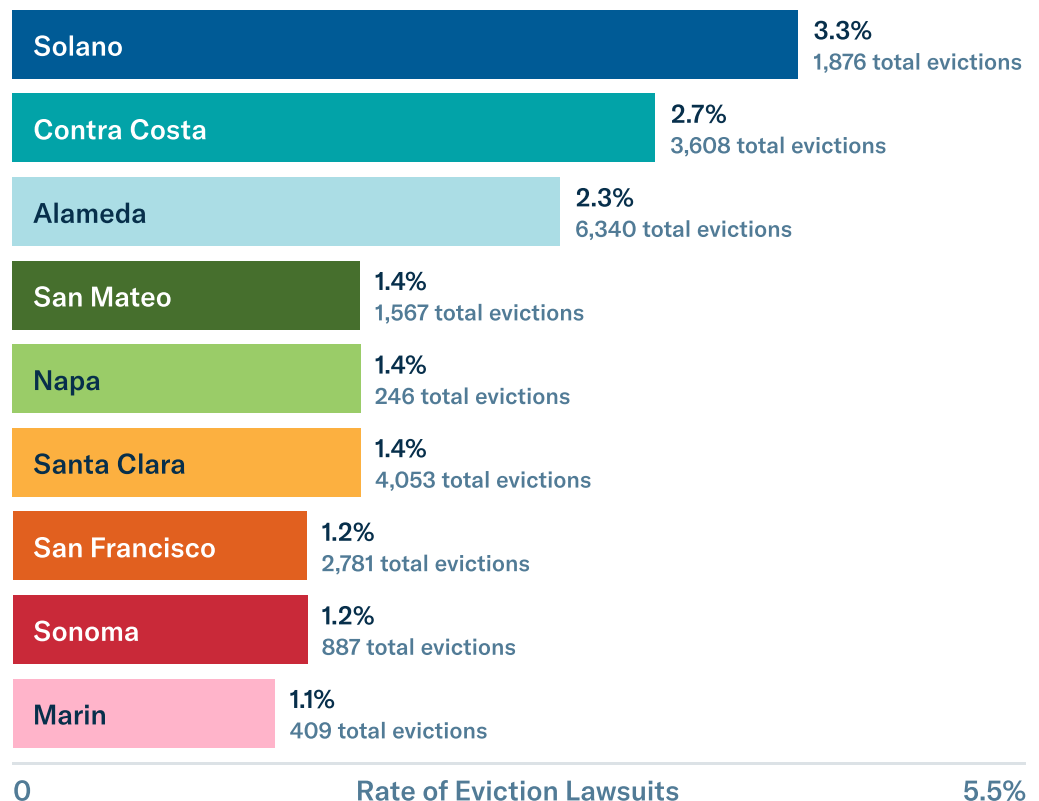
Approximately 21,767 eviction lawsuits were filed in the region from July 2023 through June 2024.<sup>18</sup> Contra Costa and Alameda were among the top three counties for the highest rates and highest absolute numbers of eviction. When adjusted for renter population, Solano, Contra Costa and Alameda counties had the highest rates of eviction lawsuits compared to other counties. Alameda, Santa Clara and Contra Costa counties had the highest absolute numbers of evictions, closely followed by San Francisco, Solano and San Mateo counties (Figure 1).

FIGURE 1

### Eviction Lawsuit Rates and Totals by County: Jul 2023-Jun 2024

Sources: California Judicial Council 2025 Court Statistics Report, 2019-2023 American Community Survey Census

Rate is calculated by dividing the number of eviction lawsuits by the total number of renter households in each county. For example, a rate of 3.3% means that 1 in 30 renter households faced an eviction.



## Eviction Rates Over Time

Trends over time show a dramatic drop in evictions when various COVID-19 eviction moratoria and emergency rental assistance programs were in effect, followed by a rapid increase as these moratoria phased out and available rental assistance has declined (Figure 2).

**In the period from July 2023 to June 2024 evictions matched or exceeded pre-pandemic levels in eight of the nine counties (Figures 2 and 3).** Sonoma was the only county with a lower rate and the difference is small. San Mateo, Santa Clara and Napa counties had higher post pandemic rankings compared with other counties. Figure 3 below illustrates the differences between years and counties.

FIGURE 2

### Eviction Lawsuit Filed by County: Jul 2015-2016 to Jul 2023-Jun 2024

Sources: California  
Judicial Council Court  
Statistics Reports

Top to bottom:

- Napa
- Marin
- Sonoma
- San Mateo
- Solano
- San Francisco
- Contra Costa
- Santa Clara
- Alameda

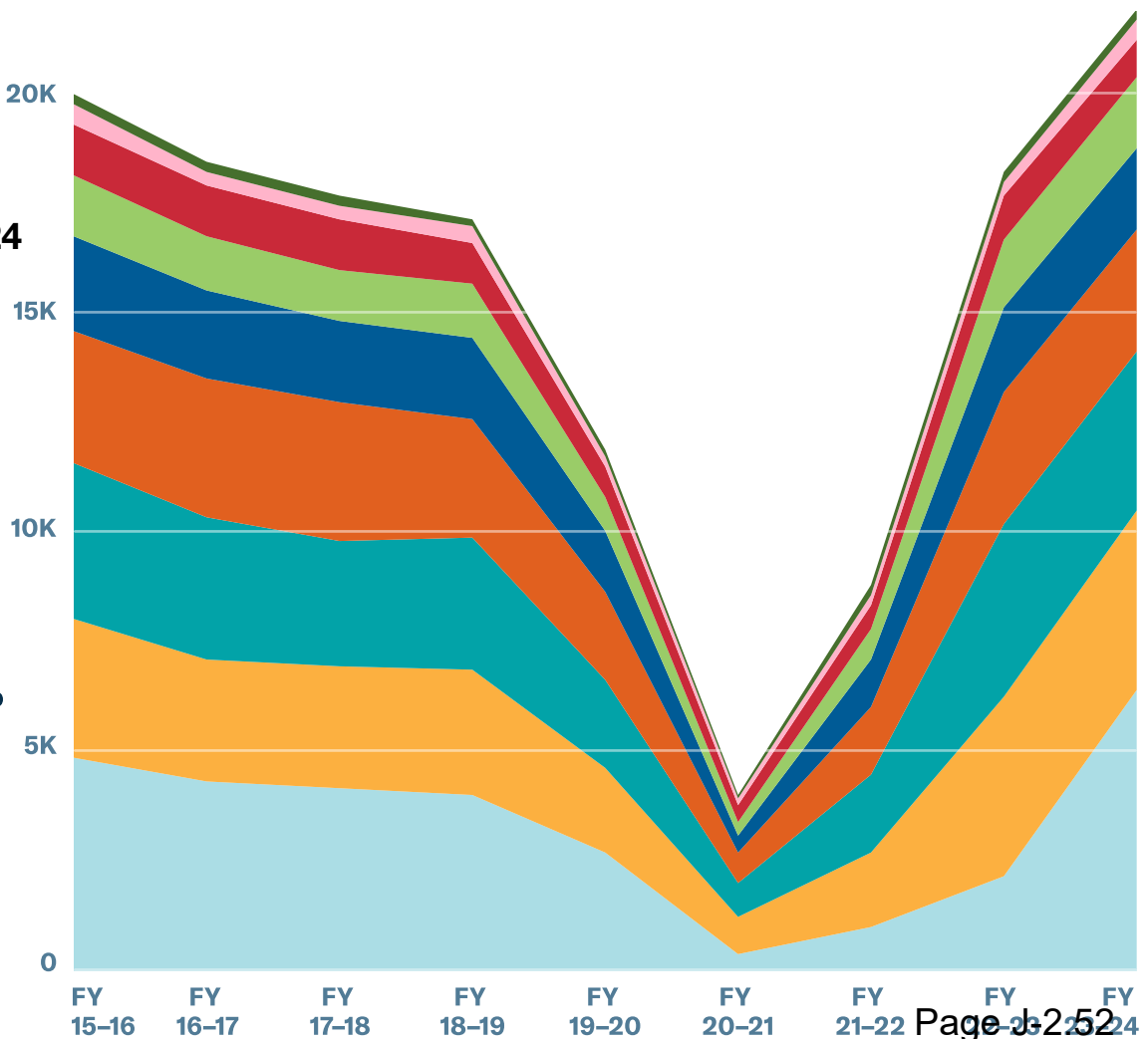
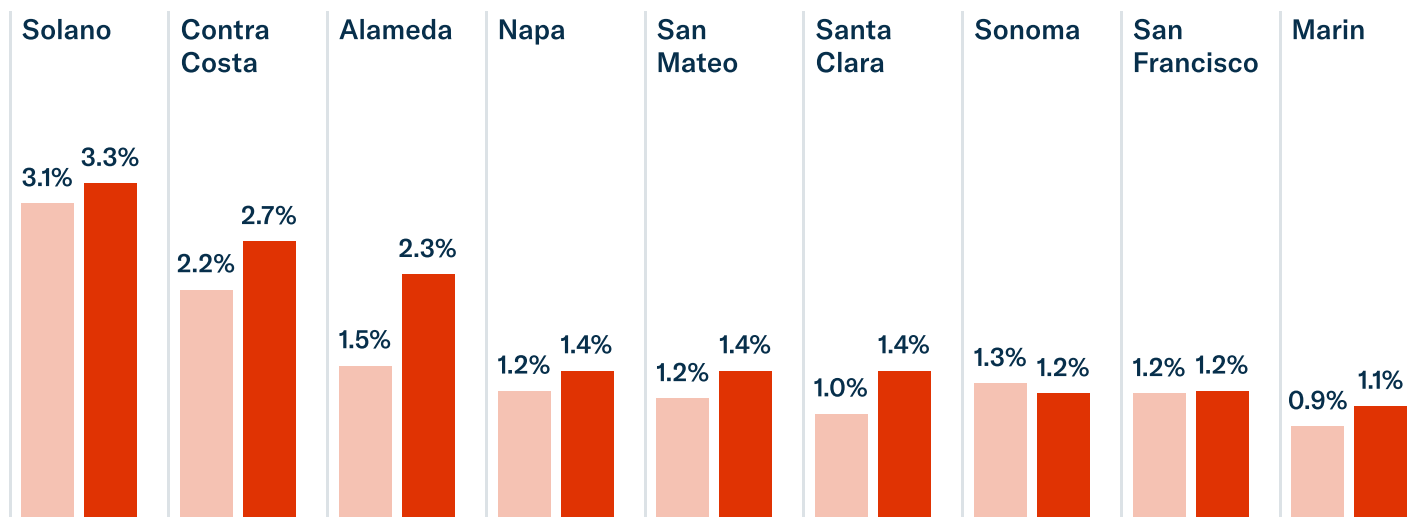


FIGURE 3

**Eviction Lawsuit  
Rates by County:  
Jul 2018–Jun 2019 vs  
Jul 2023–Jun 2024**

Sources: California Judicial Council  
2020, 2025 Court Statistics  
Reports, CJC Court Statistics  
Dashboard; 2019–2013 American  
Community Survey Census

Jul 2018–Jun 2019  
Jul 2023–Jun 2024



It remains unclear whether the spike in eviction lawsuits represents a continuation of a post-pandemic adjustment due to temporarily suppressed evictions or a longer-term trend. However, tenant legal service providers surveyed for this study reported that in most counties, eviction patterns have changed beyond landlords “catching up” on evictions post moratoria. Tenant legal aid organizations reported that many tenant households they serve have not recovered financially from the pandemic, and that some landlords are less willing to negotiate if a tenant falls behind on rent than they were prior to the pandemic. Rental assistance and emergency housing vouchers, which became more widely available during the pandemic due to federal emergency funds, are running out throughout the state.<sup>19</sup> Legal aid providers report that together these factors make it more challenging to help tenants who are behind on rent to remain in their homes. The long-term effects of these pandemic-related disruptions continue to evolve.

## Geographic Distribution of Evictions

A goal of this research was to understand the prevalence of eviction lawsuits based on location. As referenced above, BAHFA received limited data from the courts in Marin, Napa, Santa Clara and Solano counties — and thus cannot track eviction lawsuits in these counties by ZIP code. This lack of standardized locational data limits the ability to fully understand regional geospatial trends in eviction lawsuits.

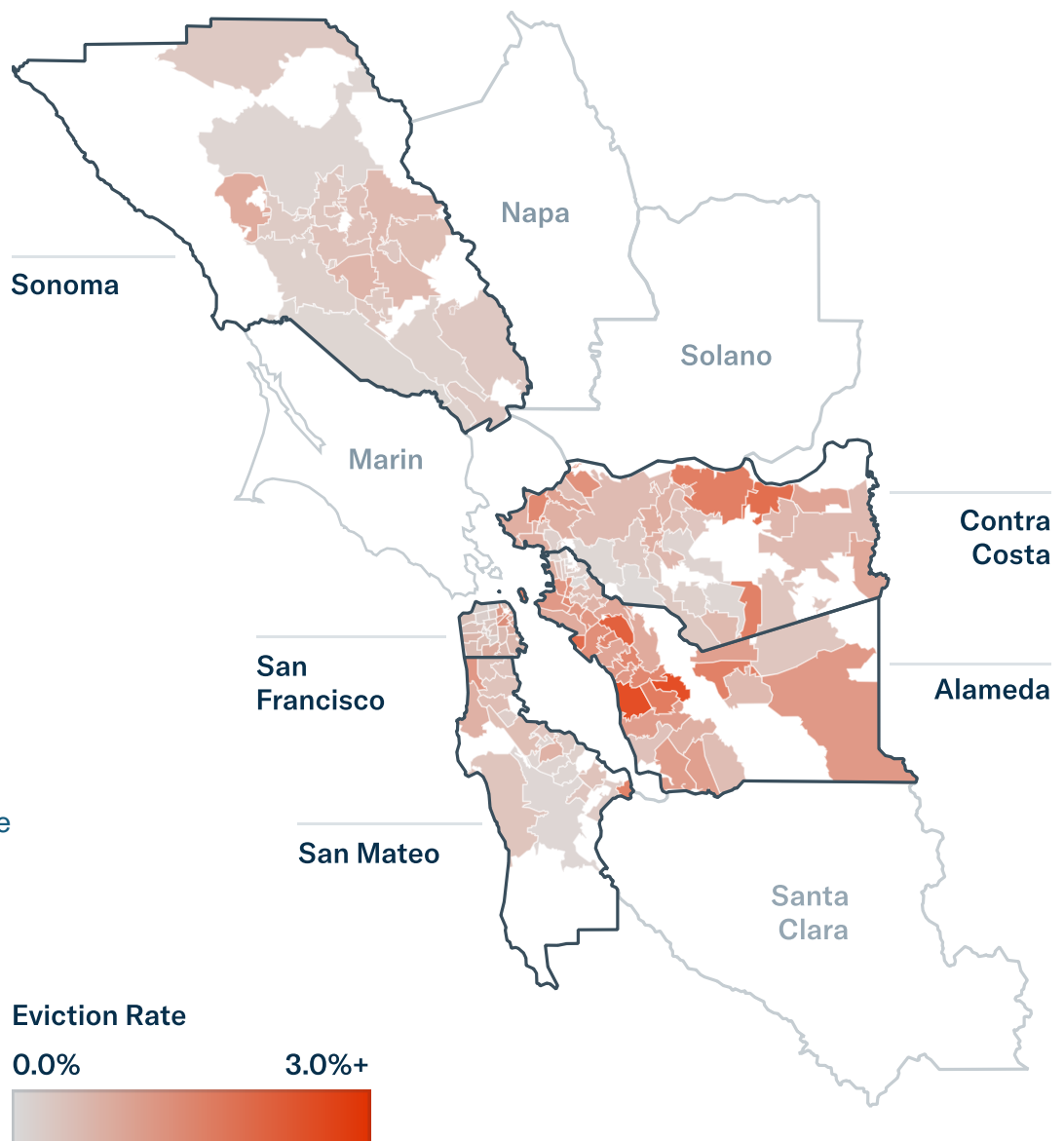
**FIGURE 4**

### Eviction Lawsuit Rates by ZIP Code: Jul-Dec 2023

Sources: County Superior Court Administrative Data

Includes ZIP codes with at least 500 renter households. Time period chosen due to eviction moratoria ending in summer 2023 in Alameda County and San Francisco. Santa Clara, Marin, Solano and Napa counties did not submit requisite data to be included.

White sections of the map correspond to areas where no ZIP codes-level was provided or where a ZIP code contains below 500 renter households.



Data in the counties included in this analysis indicate potential trends that merit further research pending additional data availability. Historically low-income areas such as Richmond, Daly City, East Palo Alto, the South of Market neighborhood of San Francisco and East Oakland show higher rates of eviction in the map above (Figure 4). This finding could reflect a general correlation between eviction rates and ZIP codes with gentrification pressures and lower-than-average incomes.

Separately, there are higher eviction rates in some suburban eastern and northeastern areas of the region that have also experienced increasing suburban poverty rates. Over the past 25 years, poverty rates in some Bay Area suburbs have been on the rise as low-income people have left high cost areas of the region.<sup>20</sup> Increasing costs of living have spurred this demographic shift as people seek lower rents in outer areas like Solano, Contra Costa and more affordable parts of Alameda County. However, these areas often have fewer tenant protections and services for tenants. According to Judicial Council data, Solano County has the region's highest eviction rate (3.27%), followed by Contra Costa (2.71%). One quarter of the region's evictions were in Solano and Contra Costa counties from July 2023-June 2024, even though these two counties house only 16% of the region's renter households.

---

## Causes of Eviction Notices

This research sought to understand the rationale for why tenants are being evicted across the region. The “cause” of an eviction is the legal reason cited by the landlord to evict the tenant.<sup>21</sup> Generally, eviction lawsuits must state the cause for the eviction alleged by the landlord; however, Bay Area courts do not record the stated cause as a separate field in their data management systems and thus regionwide cause data could not be analyzed for this study.

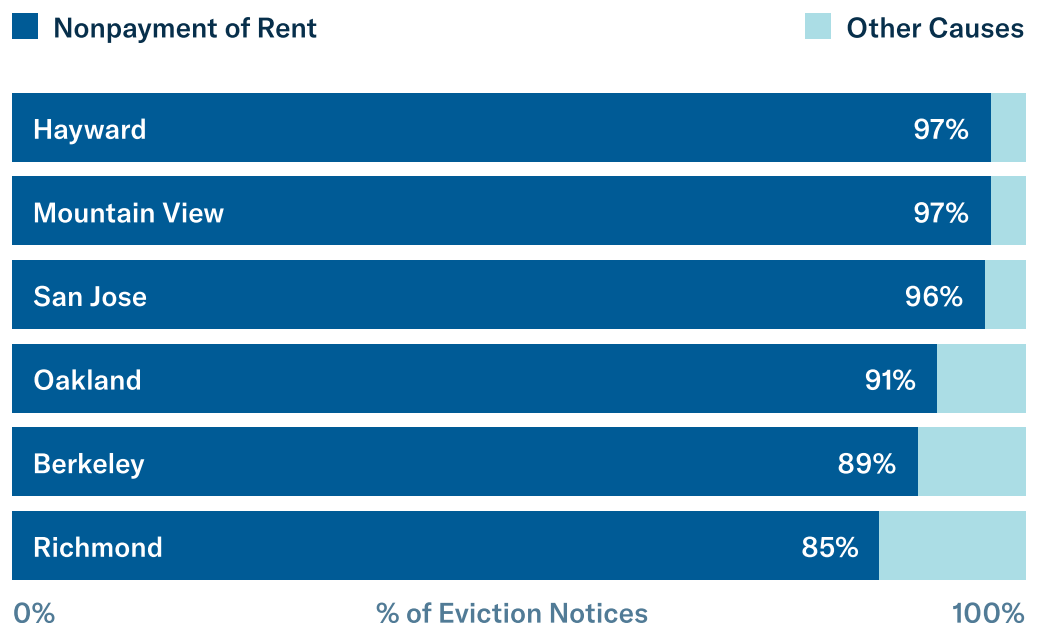
The only comprehensive data on eviction causes obtainable at the time of the study comes from locally administered programs in Berkeley, Hayward, Mountain View, Oakland, Richmond and San Jose.<sup>22</sup> These cities require landlords to file all eviction notices with local agencies, who record and track

both the number and causes stated in the notices. Reliable data from all cities was not provided for the pre-pandemic era, and some (but not all) of these jurisdictions had local eviction moratoria that extended until summer 2023; therefore, the data in Figure 5 below encompass only July through December 2023 to ensure appropriate cross-jurisdictional comparison.<sup>23</sup> Given data limitations and the predominance of non-payment notices, this report distinguishes only between nonpayment and all other causes for eviction. Other causes include both at-fault and no-fault evictions such as owner move-ins, removal of a unit from the rental market (Ellis Act) and substantial renovations.

FIGURE 5

### Causes of Eviction in City Notice Data: Jul-Dec 2023

Sources: San Jose, Mountain View, Hayward, Oakland, Berkeley, and Richmond Housing Departments



**As seen in Figure 5, nonpayment was the cause cited in most eviction notices in these cities, representing 85-97% of all notices.** Only two of the cities tracked the amount of rent demanded in nonpayment eviction notices: San Jose and Hayward. The median amount of rent demanded in the nonpayment notices (\$2,469 in San Jose and \$2,307 in Hayward) was slightly less than the median cost of one month's rent in each city. Because not every eviction notice proceeds to an eviction lawsuit, these data do not necessarily demonstrate precise rates for which nonpayment is the cause of eviction lawsuits. These local eviction notice data are, however, some of the best available indicators of the relative causes of eviction activity at a multijurisdictional scale across the Bay Area.



The predominance of nonpayment in local eviction notice data is consistent with a 2025 report from the Stanford Community Law Clinic analyzing eviction lawsuits between 2019 and 2023 in San Mateo county.<sup>24</sup> Stanford researchers obtained special permission from the court to confidentially access case-level data for every eviction lawsuit filed in the county. Researchers coded and compared case data from the year prior to COVID-19 (2019) to the year after the expiration of eviction moratoria in the county (2023) to understand pre- and post-pandemic trends. In both years, nonpayment was by far the most common cause of eviction, and the rate of nonpayment cases rose significantly over time: 78.4% in 2019 vs. 85.5% in 2023.

Research from other parts of the state and nation has found that nonpayment of rent is the most common reason cited for evictions.<sup>25</sup> For example, in Los Angeles between February 2023 and November 2024, 94% of eviction notices filed with the city were for nonpayment of rent.<sup>26</sup> The high prevalence of nonpayment in the reported data and the consistency with which this finding is made across geographies point to macro socio-economic trends linking the unaffordability of housing to evictions.

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## Rate of Default Judgments

Default judgments occur when a tenant does not formally respond to the notification of an eviction lawsuit. Tenants who fail to respond generally lose the ability to contest the eviction. There are a variety of reasons why a default may occur. Interviewees from legal aid providers and tenant service organizations cited several common reasons, including tenants lacking knowledge of their rights, lacking the resources to respond, fearing engagement with the legal system, or time constraints due to work, childcare or other barriers.<sup>27</sup>

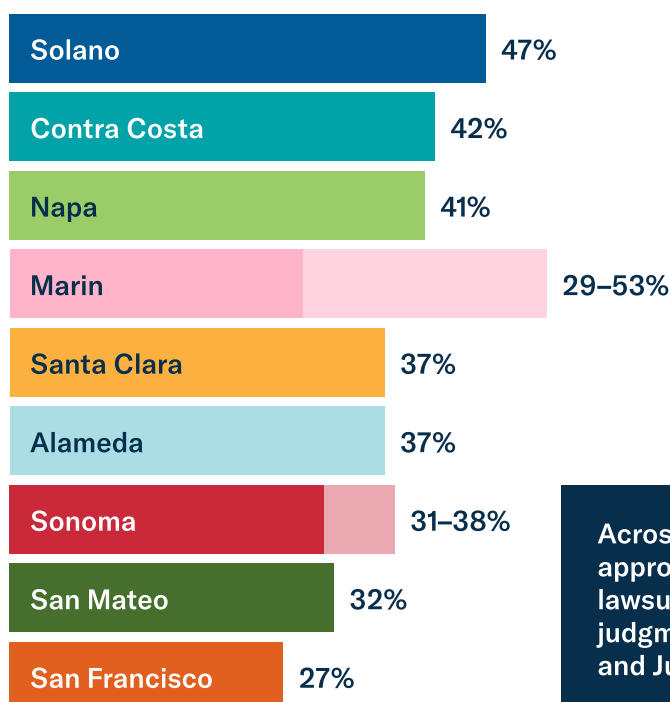
The primary “outcome” data recorded by courts is whether a judge issues a writ of possession to return the property to the landlord. **According to eviction lawsuit data in five of the nine counties, 95% of default judgments resulted in a writ of possession issued versus 21% of cases where a tenant responded.**<sup>28</sup> Because default judgments tend to occur

within 60 days of filing an eviction lawsuit, they are not subject to state eviction sealing laws and are typically reported on the tenant's record,<sup>29</sup> making it more difficult to find new housing.

FIGURE 6

### Estimated Eviction Lawsuit Default Rates by County: Jul 2022-Jun 2023

Sources: California Judicial Council (Santa Clara, Sonoma); Stanford Community Law Clinic (San Mateo); County Superior Court Administrative Data (Sonoma, Marin, Solano, Contra Costa, Napa, Alameda, San Francisco). Ranges used where data sources conflict (Sonoma) or are ambiguous (Marin).<sup>30</sup>



Across the region, on average approximately 37% of eviction lawsuits resulted in default judgments between July 2022 and June 2023.

Across the region, on average approximately 37% of eviction lawsuits resulted in default judgments between July 2022 and June 2023. Default rates ranged from 47% in Solano county to 27% in San Francisco.

Tenant legal services capacity appears correlated with the rate of default judgment in each county. San Francisco has the highest investment in tenant counseling and rental assistance in the region, and it is the only jurisdiction in the Bay Area with a “right to counsel” in eviction cases; it also has the lowest default rate.<sup>31</sup> At the opposite end of the spectrum, Solano County’s default rate is the the highest in the region and Solano has among the lowest percentage of low-income renter households served by tenant legal services. It is beyond the scope of this study to evaluate whether there is a causal relationship between the availability of tenant legal services and default rates in eviction lawsuits, but the strong correlation may warrant future local and regional consideration.

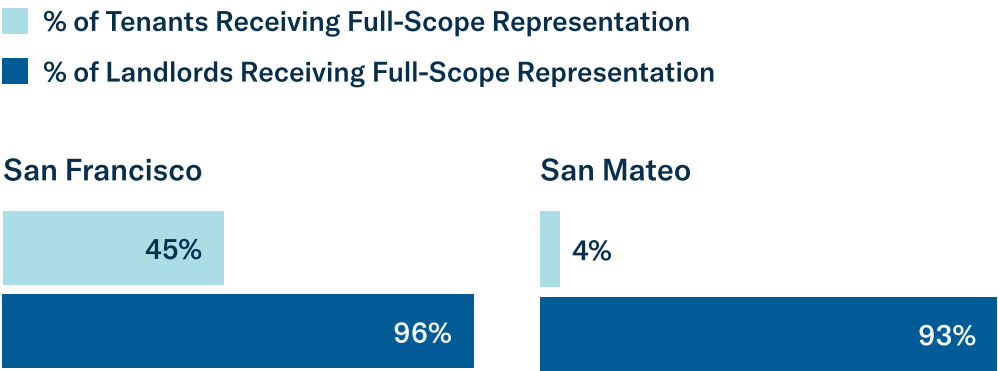
## Rates of Landlord and Tenant Representation in San Francisco and San Mateo

Given the complexity of housing law and accelerated pace of eviction proceedings in California, attorneys are important for both landlords and tenants to navigate the process. Court data in each county theoretically tracks whether tenants and landlords were represented in an eviction lawsuit,<sup>32</sup> however the data received for this study generally were not reliable enough to conduct this analysis at the regional level. While five counties — Alameda, Contra Costa, San Francisco, San Mateo and Sonoma — provided data on representation, this report only used data from San Francisco and San Mateo in this analysis.<sup>33</sup> The data from Alameda, Contra Costa and Sonoma counties were excluded due to issues with inconsistent field values, ambiguous data definitions and procedural differences, respectively.

**In San Francisco and San Mateo County, landlords were far more likely to be represented than tenants (Figure 7).** In San Francisco, 45% of tenants were represented compared to 96% of landlords. The relatively high rate of tenant representation in San Francisco is attributable to the tenant right to counsel program, which is the only such program in the region.<sup>34</sup> In San Mateo, only 4% of tenants facing eviction were represented compared to 93% of landlords. This aligns with national rates of representation, where on average 4% of tenants and 83% of landlords are represented in eviction cases.<sup>35</sup>

**FIGURE 7**  
**Tenant & Landlord Representation in Eviction Lawsuits in San Francisco and San Mateo: Jul 2022-Jun 2023**

Sources: County Superior Court Administrative Data



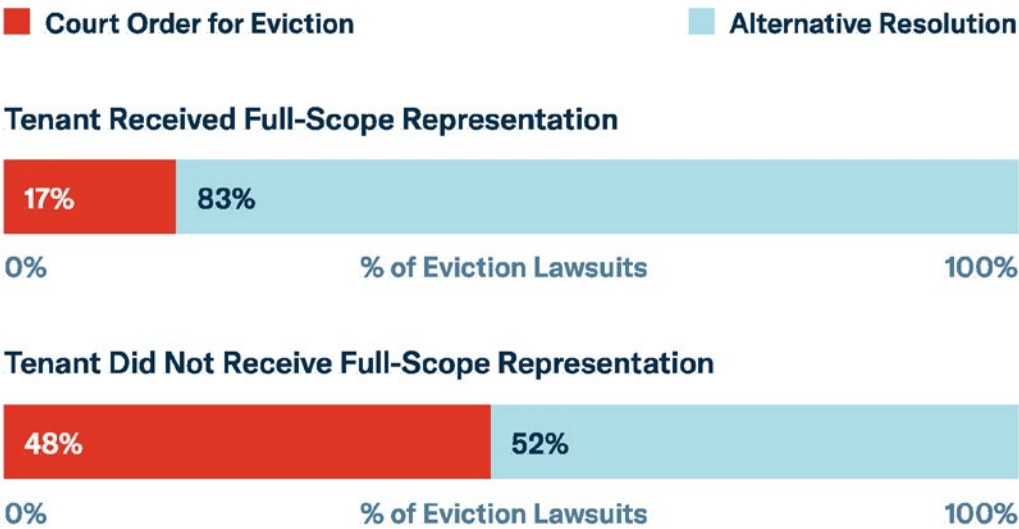
## Eviction Outcomes and Tenant Representation

Data from San Francisco and San Mateo reveal a correlation between the likelihood that a judge issues a court order for eviction and whether a tenant receives legal representation (Figure 8). **From July 2022-June 2023, judges in these counties issued court orders for eviction 48% of the time when the tenant was not represented, and 17% of the time when a tenant did have representation.** Most cases that do not end in court orders for eviction are resolved through alternative means, most commonly settlement agreements that either allow tenants to stay in their homes or provide more favorable terms for moving out.

FIGURE 8

### Eviction Lawsuit Outcomes by Tenant Representation in San Francisco and San Mateo County: Jul 2022-Jun 2023

Sources: County Superior Court Administrative Data



Such correlation, while notable, does not necessarily prove causation. In San Mateo County, there are not enough tenant legal service providers to offer representation in all eviction cases. Providers report that they often triage by offering full scope representation in cases where tenants have the strongest legal defenses and the efforts of legal aid attorneys are more likely to make a difference in preserving tenancies. This triaging practice could skew the data and contribute to the correlation. In contrast, however, San Francisco data do not contain the same selection bias because the right to counsel program does not prioritize cases based on merit. Further research is warranted to better understand the impact of tenant legal services on eviction case outcomes, diving deeper into the strong correlation found in **Page 42 of 60**

# Disproportionate Rates of Eviction in the Bay Area

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## Bay Area Evictions Disproportionately Occur in Neighborhoods with High Proportion of Tenants of Color, Female-Headed Households and Families with Children.

Prior local and national studies have found that women and people of color are disproportionately impacted by eviction regardless of income. A 2016 San Mateo County study based on case data from local legal aid organizations found that while Latino/a/e/x people comprised 25% of the population, they represented 49% of those who received eviction-related legal services; similarly Black residents comprised 2.5% of the population but represented over 21% of those who received eviction-related legal services.<sup>37</sup> Nationally, the Eviction Lab at Princeton University has published evidence that tenants of color, especially Black tenants, are the most disproportionately impacted by evictions, and all indigenous and non-Black people of color are also disproportionately impacted.<sup>38</sup> The Center for American Progress has also reported on these trends and found that Black women are at the highest disproportionate risk of eviction.<sup>39</sup>

The data used for this study does not include per-case demographic information. Instead, the study compares eviction rates in census tracts to the demographic makeup of that census tract, setting thresholds to understand whether eviction rates were correlated with demographic indicators. Sheriff lockout data was used as it is the only source available for all counties with full addresses, allowing for a more precise analysis at the census tract level (more granular than at the ZIP code level). Because not all eviction cases make it to this lockout stage, these data represent a subset.

Findings from this analysis were consistent with previous local and national research. Bay Area census tracts with high proportions of renters of color, female-headed households and households with children face higher rates of eviction by sheriff lockout.

<b>Disparities by Race and Ethnicity</b>	<p>Renters in census tracts with majority renters of color were <b>78% more likely</b> to experience a sheriff lockout than those in white-majority renter census tracts.</p> <p>Renters in census tracts with a higher proportion of Black renters (more than 14%) were <b>63% more likely</b> to experience a sheriff lockout than those in other tracts.<sup>40</sup></p> <p>Renters in census tracts with a higher proportion of Latino/a/e/x renters (more than 40%) were <b>65% more likely</b> to experience a sheriff lockout than those in other tracts.<sup>41</sup></p>
<b>Disparities by Gender</b>	<p>Renters in census tracts with a higher proportion of female-headed renter households (more than 25%) were <b>65% more likely</b> to have a sheriff lockout than those in other tracts.<sup>42</sup></p>
<b>Disparities by Family Status</b>	<p>Renters in tracts with a higher proportion of renter households with children (more than 30%) were <b>35% more likely</b> to have a sheriff eviction than those in other tracts.<sup>43</sup></p>

Source: Sheriff Lockout Data, 2019-2023 American Community Survey

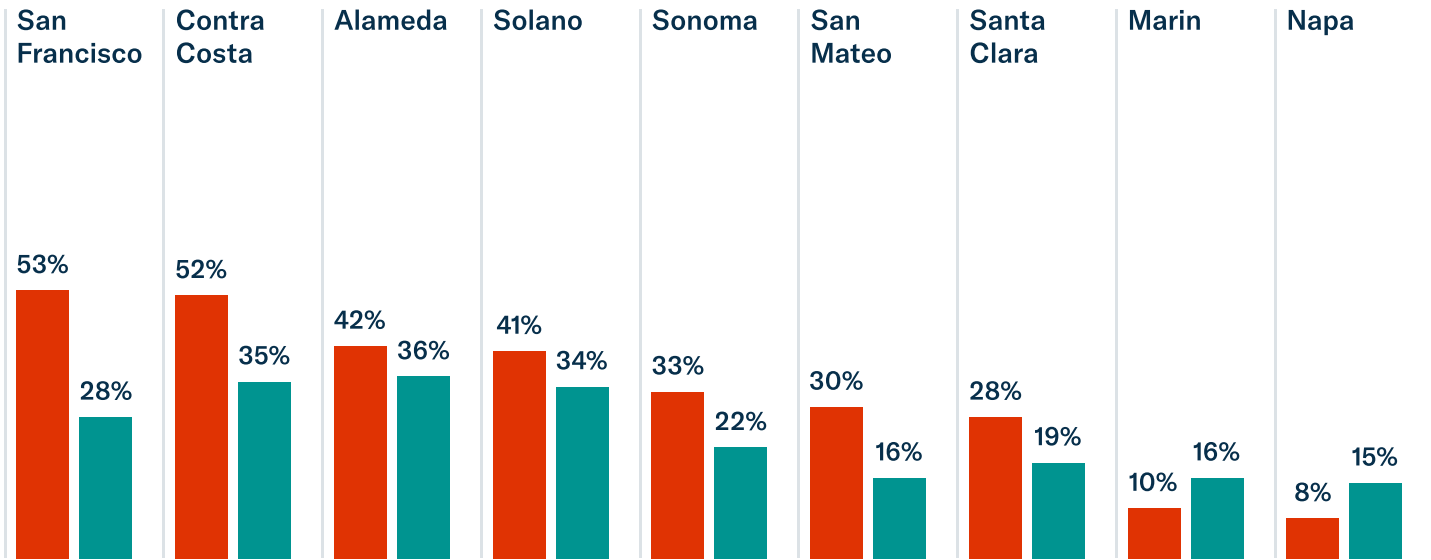
## Evictions in the Bay Area Disproportionately Occur in MTC Equity Priority Communities.

The study also compared eviction rates in and outside of the Metropolitan Transportation Commission’s Equity Priority Communities (EPCs).<sup>44</sup> EPCs are census tracts that have a significant concentration of underserved populations due to their socioeconomic status or identity. Prevalence of eight demographic variables are combined to construct this index: people of color, low-income, limited-English proficiency, seniors 75 years and over, zero-vehicle households, single-parent families, people with a disability and rent burdened households.

FIGURE 9

### Sheriff Lockouts in MTC Equity Priority Communities: 2023\*

Sources: MTG Plan Bay Area 2050+ Equity Priority Communities, Sheriff Lockout Data  
\*2022 data used for San Francisco due to data availability. 2023 data used for all other counties



Sheriff lockouts are disproportionately located in EPCs in seven of the nine counties — all but Marin and Napa (Figure 9). While only 27% of all Bay Area renter households live in Equity Priority Communities, 39% of sheriff lockouts happened in them. For example, 53% of sheriff lockouts in San Francisco happened in EPCs, where only 28% of renter households live. In Contra Costa County, even though only 35% of renter households live in EPCs, 52% of all sheriff lockouts in the county occurred in these areas.

# Conclusion

The Bay Area Eviction Study highlights the need for local and regional solutions to better track evictions across the region and to help tenants secure and remain in safe and affordable housing.

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## Improvements to Data Collection and Availability

The partial, inconsistent and occasionally unreliable data collected from a variety of sources for this study underscore the need for significant improvements in eviction data collection and management in the Bay Area.<sup>45</sup> High-quality data is important to ensure that policymakers can evaluate the scale and nature of eviction pressures in their communities. It is also needed to design, implement and evaluate local and state-level tenant protection programs. Two areas for improvement identified through this study include:

- 1. Increase the quality, quantity and availability of court eviction data.** The California Judicial Council already serves as a centralized reporting agency for the County Superior Courts but the data it receives is significantly limited. Efforts could be made to include more detailed and consistent case information including geography (e.g., ZIP code, city, etc.), whether the parties had legal representation, the stated cause of eviction, case dispositions and timing of filings by date or month. Such improvements to data collection and management would require investments to enhance the reporting capabilities of the courts and the Judicial Council, including additional staff positions and/or technology upgrades.



**2. Improve coordination and communication across government agencies and courts to support data-driven policy and programs.**

For example, improved coordination would allow housing departments formulating anti-displacement interventions to communicate with court administrators (and vice versa) to design and evaluate programs that are appropriate for the unique needs faced by renters in their communities.

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## **Role for Regional Leadership**

BAHFA's legislative mandate includes the ability to raise resources through voter-approved ballot measures across the nine counties to advance affordable housing production, preservation and tenant protections. From such a regional measure, at least 5% of revenue would fund tenant protection programs,<sup>46</sup> including emergency rental assistance, tenant legal services, tenant education, technical assistance and data tracking. Such programs could directly address eviction challenges and gaps identified in this report. Prior to a successful revenue measure, BAHFA can continue to play a leadership role at the regional scale in coordination with the Metropolitan Transportation Commission and Association of Bay Area Governments by providing technical assistance, coordinating across jurisdictions and tracking information.

# Endnotes

- 1 The Bay Area Housing Finance Authority (BAHFA) was established by the California Legislature in 2019. See California Government Code section 64500 et seq.
- 2 Fung, L., Remor, I., Fallon, K. & Holland N. (2023). [Masking the Scarlet ‘E’](#). Urban Institute.
- 3 See California Code of Civil Procedure section 1161.2.
- 4 Tenant screening companies commonly scrape public eviction data that include eviction filings, even if a tenant was not found at fault. Such screening companies then package the data and sell it to landlords who are considering applicant pools for a particular rental unit on the market. See: Dada, T. & Duarte, N. (2022). [Tenant Screening Companies Profit from Eviction Records, Driving Housing Insecurity](#). Shelterforce.
- 5 Cheng, F. (2021). [Why It’s So Hard to Gauge the Extent of California’s Eviction Crisis](#). New America; Mello, F. (2025). They tried to pay their overdue rent. Their landlord wouldn’t accept it. CalMatters.
- 6 See, e.g., Brodie, J., & Zack, L. (2025). [Evictions in San Mateo County: 2019 and 2023](#). Stanford Community Law Clinic, Stanford Law School; Legal Aid Society of San Mateo County; Community Legal Services in East Palo Alto, & The Anti-Eviction Mapping Project. (2016). [San Mateo County Eviction Report: 2016](#). San Francisco Foundation; Werth, A. (2022). [Unrepresented: A Report on Eviction Court Watch in Contra Costa County](#). East Bay Alliance for a Sustainable Economy.
- 7 During COVID-19, eviction moratoria were temporarily implemented across the nation as a public health measure to facilitate compliance with “shelter in place” orders and reduce disease transmission that could have been caused by court processes and relocations. See, e.g., Leifheit et al. [Expiring Eviction Moratoriums and COVID-19 Incidence and Mortality](#). American Journal of Epidemiology. 2021 Dec 1; 190(12):2503-2510. In California, this resulted in multiple overlapping eviction moratoria at the statewide, county, and in some cases the city level. The patchwork of pandemic-related eviction moratoria applicable in the Bay Area wound down between 2022 and 2023. Specifically, the statewide eviction moratorium ended in June 2022. The last remaining local eviction moratorium, in Alameda County, San Francisco and Richmond extended until summer 2023. By the end of summer 2023, all pandemic-related eviction moratoria in the Bay Area had ended.

- 8 National Coalition for a Civil Right to Counsel. (November 2024). [Eviction Representation Statistics for Landlords and Tenants Absent Special Intervention](#).
- 9 See, e.g., Waldinger, D. (2024). [Regulating Evictions: The Role of Landlords](#). Stanford Institute for Economic Policy Research, Gromis, A., Fellows, I., Hendrickson, J. R., Edmonds, L., Leung, L., Parton, A., & Desmond, M. (2022). [Estimating eviction prevalence across the United States](#). Proceedings of the National Academy of Sciences, 119(21).
- 10 The judicial proceedings for “unlawful detainers” have their own special state statutes: California Code of Civil Procedure Sections 1159 to 1179a. Local “just cause for eviction” laws can regulate the substantive bases for eviction but generally cannot alter the state-determined court eviction process. See [Birkenfeld v. City of Berkeley \(1976\) 17 Cal.3d 129](#). Similarly, federal law offers certain rights to tenants who receive some form of federal assistance, though these protections generally do not alter the procedural requirements of state eviction statutes. While the technical legal term of an eviction case is “unlawful detainer,” this report uses the terms “eviction lawsuit” and “court eviction” for ease of understanding.
- 11 The City of Alameda, Berkeley, East Palo Alto, Hayward, Marin County (for unincorporated areas), Mountain View, Oakland, Richmond, San Francisco, and San Jose collect notice data. However, comparable cause of action data from four of these jurisdictions was not available. The City of Alameda and San Francisco do not collect data on nonpayment notices. East Palo Alto digitized their data to share for this study; however, when it was entered electronically cause data were omitted from the notices. Marin County unincorporated area data were too small of a sample size to be used.
- 12 See Assembly Bill 2347 (Kalra, 2024). During the study period, the operative timeline was five days.
- 13 With legal representation it is technically possible to successfully argue a Motion to Set Aside the Judgment, but this is not a typical outcome.
- 14 Less often, a case will be resolved by a dispositive motion before trial.
- 15 Van Dijk, W, Humphries J, Collinson R, Mader N, Reed D, Tennenbaum, D. (2024). [Eviction and Poverty in American Cities](#). Tobin Center for Economic Policy; Ramphal B, Keen R, Okuzuno SS, Ojogho D, Slopen N. (2023). Evictions and Infant and Child Health Outcomes: A Systematic Review. JAMA Network Open. 6(4):e237612; Hoke N, Boen C. (2021) [The health impacts of eviction: Evidence from the national longitudinal study of adolescent to adult health](#). Social Science and Medicine, Elsevier.
- 16 These estimates come from the Milwaukee Area Renters Study, designed by eviction researcher Matthew Desmond, and American Housing Survey, administered by the U.S. Census Bureau. See Sabiha Zinulbhai and Nora Daly. January 20, 2022. [Informal Eviction: Measuring Displacement Outside the Courtroom](#). New America.
- 17 For more information about the local regulatory and administrative landscape for eviction data in the Bay Area, see endnote 11.

- 18 This analysis uses California Judicial Council data for fiscal year 2023-24 (July 2023 to June 2024) to capture the landscape after the end of eviction moratoria, some of which extended into the summer of 2023.
- 19 The California Rent Relief Program closed on March 31, 2022. Other programs continued locally, however as reported in CalMatters in March 2025, emergency housing vouchers and other resources funded by the federal government during the COVID-19 pandemic will not be renewed.
- 20 Soursourian, M. (2012). [Suburbanization of poverty in the Bay Area](#). Community Development Research Brief, San Francisco Federal Reserve. (January), 1-17; Samara, T. R. (2016). [Race, Inequality, and the Resegregation of the Bay Area](#). Urban Habitat. Pan, A. Q., Deakin, E., & Shaheen, S. A. (2023). [Crabgrass confinement: Housing and transportation challenges of low-and moderate-income suburban residents in the San Francisco Bay Area](#). Case Studies on Transport Policy. Vol 14.
- 21 Previously, landlords did not always have to state the rationale for an eviction; absent local just cause for eviction laws, landlords could issue “no cause” eviction notices with 30-60 days’ notice. This changed with the Tenant Protection Act of 2019, which imposed a statewide just cause for eviction requirement on qualifying tenancies.
- 22 For more information about the local regulatory and administrative landscape for eviction data in the Bay Area, see endnote 11.
- 23 At the time of information requests for this study, data from all city programs was only consistently available through the period ending December 2023.
- 24 Brodie, J, & Zack, L. (2025). [Evictions in San Mateo County: 2019 and 2023](#). Stanford Community Law Clinic, Stanford Law School.
- 25 Waldinger, D. (2024) [Regulating Evictions: The Role of Landlords](#). Stanford Institute for Economic Policy Research; see also Groomis, A. et al., (2022). [Estimating eviction prevalence across the United States](#). Proceedings of the National Academy of Sciences, 119, e2116169119.
- 26 Cited in Stanford Law School Law and Policy Lab. (2025). [WIN-WIN Paying Landlords & Keeping Californians Housed](#).
- 27 See also Brenner, R, Gould, I, House S, Lochlead E, O’Regan E. (2023). [Half the Battle is Just Showing](#). New York University Furman Center.
- 28 Due to incomplete datasets Marin, Napa, Solano and Santa Clara counties were not included in this analysis.
- 29 See endnotes 4 and 5.
- 30 The Santa Clara Superior Court did not provide a complete dataset (e.g., missing half of expected cases and several key fields) and thus the Judicial Council was the only source available. For San Mateo County, the rate is taken from the 2025 Stanford Community Law Clinic study given the unique dataset their researchers obtained. Note that in fiscal year 2022-23, San Mateo Superior Court reported a 43% default rate to the Judicial Council. For Sonoma County, a range is provided based on the 30% default rate reported in Superior Court data vs. 43% reported to the Judicial Council. In Marin, a range has been estimated from Superior Court data because Page 12 of 68

disposition categorization system could not be easily attributed to default judgments. Rates for all other counties (Solano, Contra Costa, Napa, Alameda and San Francisco) are as reported by the local Superior Courts. All rates are for fiscal year 2022-23 except for San Mateo County, which is for calendar year 2023.

- 31 The impact of right to counsel on default rates has been seen elsewhere. In New York City, default rates decreased 34% from 2013-19; right to counsel was passed in 2017 and was phased in over subsequent years. See [NYC Office of Civil Justice 2019 Annual Report](#). (2019). New York City Human Resources Division, Department of Social Services.
- 32 Representation in this context refers to full scope representation. Many tenant legal services organizations also provide limited scope representation in court for specific aspects of a case, and this more limited form of representation is generally not reflected in court data.
- 33 San Francisco's robust services ecosystem and right to counsel program have enabled more reliable data on representation rates. Representation rates for San Mateo County as provided by the Superior Court were deemed reliable given consistency with independent verification from the 2025 Stanford Community Law Clinic Report. Stanford researchers determined a tenant representation rate of 4.8% in calendar year 2023 (compared to 4% from court-provided data for fiscal year 22-23) and landlord representation rate of 92.7% in calendar year 2023 (compared to 93% from court-provided data for fiscal year 22-23). See Brodie, J, & Zack, L. (2025). [Evictions in San Mateo County: 2019 and 2023](#). Stanford Community Law Clinic, Stanford Law School. The rates provided by the Superior Court are used in Figure 6 to enable consistency of data sources across San Mateo and San Francisco.
- 34 Note that while San Francisco's tenant right to counsel program might suggest near-universal representation, 27% of cases in San Francisco result in default judgments and, based on data from the Eviction Defense Collaborative, most of the remaining 28% of cases received limited scope representation due to lack of capacity for full-scope representation. Limited scope representation is not recorded in court data in San Francisco.
- 35 National Coalition for a Civil Right to Counsel. [Eviction Representation Statistics for Landlords and Tenants Absent Special Intervention](#). Last updated November 2024.
- 36 The 2025 Stanford Community Law Clinic study of evictions in San Mateo County includes a similar finding that may extend to limited scope (vs. full-scope) legal services. Stanford researchers found that the likelihood of a writ issuing decreased substantially when default judgments were removed. The Stanford study observes that "[t]he implications of this could be significant from an access to counsel perspective, because presumably access to an attorney, even a limited scope attorney who helps only with response paperwork, increases the chance that a tenant will file a response. In turn, that filing of a response dramatically decreases the chances of a writ being issued." Brodie, J, & Zack, L. (2025). [Evictions in San Mateo County: 2019 and 2023](#). Stanford Community Law Clinic, Stanford Law School.

## Evictions in the Nine-County Bay Area

- 37 Created in collaboration with the Legal Aid Society of San Mateo County, Community Legal Services in East Palo Alto (CLSEPA) and the Anti Eviction Mapping Project. (2016). [San Mateo County Eviction Report: 2016](#). San Francisco Foundation.
- 38 Heburn, P, Louis R, & Desmond, M. (2020). [Racial and Gender Disparities Among Evicted Americans](#). The Eviction Lab.
- 39 The Center for American Progress. (2023). [The Disproportionate Burden of Eviction on Black Women](#).
- 40 Census tracts with more than 14% Black renters are in the top 20th percentile for this demographic in the Bay Area.
- 41 Census tracts with more than 40% Latino/a/e/x renters are in the top 20th percentile for this demographic in the Bay Area.
- 42 Census tracts with more than 25% female-headed renter households are in the top 20th percentile for this demographic in the Bay Area.
- 43 Census tracts with more than 30% renter households with children are in the top 20th percentile for this demographic in the Bay Area.
- 44 The Metropolitan Transportation Commission and the Association of Bay Area Governments Executive Board jointly govern the Bay Area Housing Finance Authority. The EPC framework is utilized by both agencies in making policy and funding decisions and is updated every four years based on data from the American Community Survey. Note that the EPCs are being updated as part of Plan Bay Area 2050+; this study utilizes EPC layers developed using the American Community Survey vintages 2014-2018 (for Plan Bay Area 2050 & 2050+) and 2018-2022 (for Plan Bay Area 2050+ only). For more information, review the [2050+ EPC Update website](#).
- 45 The data quality challenges with eviction court data are not unique to the Bay Area. See, e.g., Parton, A., Gromis, A., & Desmond, M. (2020). Inaccuracies in Eviction Records: Implications for Renters and Researchers. *Housing Policy Debate*, 31(3-5), 377-394. [doi.org/10.1080/ 10511482.2020.1748084](https://doi.org/10.1080/10511482.2020.1748084).
- 46 Funding is contingent upon eligibility in the underlying revenue source. For example, BAHFA has authority to propose a general obligation bond, which, pursuant to the state constitution, cannot be used to fund most services and therefore has limited applicability to the enumerated tenant protection programs.



ASSOCIATION OF BAY AREA GOVERNMENTS  
METROPOLITAN TRANSPORTATION COMMISSION

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