

Evictions in the Nine County Bay Area



ASSOCIATION OF BAY AREA GOVERNMENTS
METROPOLITAN TRANSPORTATION COMMISSION

Project Overview

Background

- Commissioned by BAHFA to better understand regional eviction landscape as part of “3Ps” mandate
- Research team led by Centro Legal de la Raza
- Driven by:
 - Difficulty obtaining information on evictions across region
 - Cities and counties rely on data to inform policy and programs
 - Need for multi-county data to inform future regional programming

Regional Reports

- Evictions in the Nine County Bay Area
- Tenant Legal Services in the Nine County Bay Area
- Interactive Regional and Local Data Tool
- ***Coming Soon:***
 - Detailed Methodology
 - Informal Evictions in the Nine County Bay Area
 - County-Specific Reports

Release of Reports and Data Tool

■ July 2025 Release

- Reports on Evictions and Tenant Legal Services (TLS)
- Interactive Eviction Data Tool

■ Two Public Webinars

- Recordings available on website
- 300+ attendees with representation from all nine counties
- Strong and positive discussion, Q+A

■ Upcoming Reports

- Nine county-specific reports
- In-depth methods report

Data Sources and Limitations

Public Sources

- Eviction lawsuit (unlawful detainer) data provided by County Superior Courts
- California Judicial Council data augmented incomplete eviction lawsuit data
- Sheriff lockout data
- Eviction notice data collected by local housing departments

Tenant Legal Services and Community-Based Organization Data

- Tenant legal services organization case data
- Tenant legal services survey
- Interviews with 27 staff members of tenant legal services and tenant-serving organizations

About the Eviction Process and Public Data

1. Landlord sends an eviction notice to the tenant.
2. Following the notice deadline, landlords can file an **eviction lawsuit** with the county Superior Court.
3. Upon receiving formal lawsuit notification, tenants have a 10-day window to file an **answer or other responsive pleading**. Failure to respond results in a **default judgement**.
4. If a tenant files an answer, the case will make its way through the legal process and be resolved by a **trial, dismissal, or settlement agreement**.
5. If a case is decided against a tenant through a default judgement or decision later in the process, the court issues a **writ of possession** to return the unit to the landlord.
6. If the tenant does not move out, the sheriff will **execute the writ and lock the tenant out**.

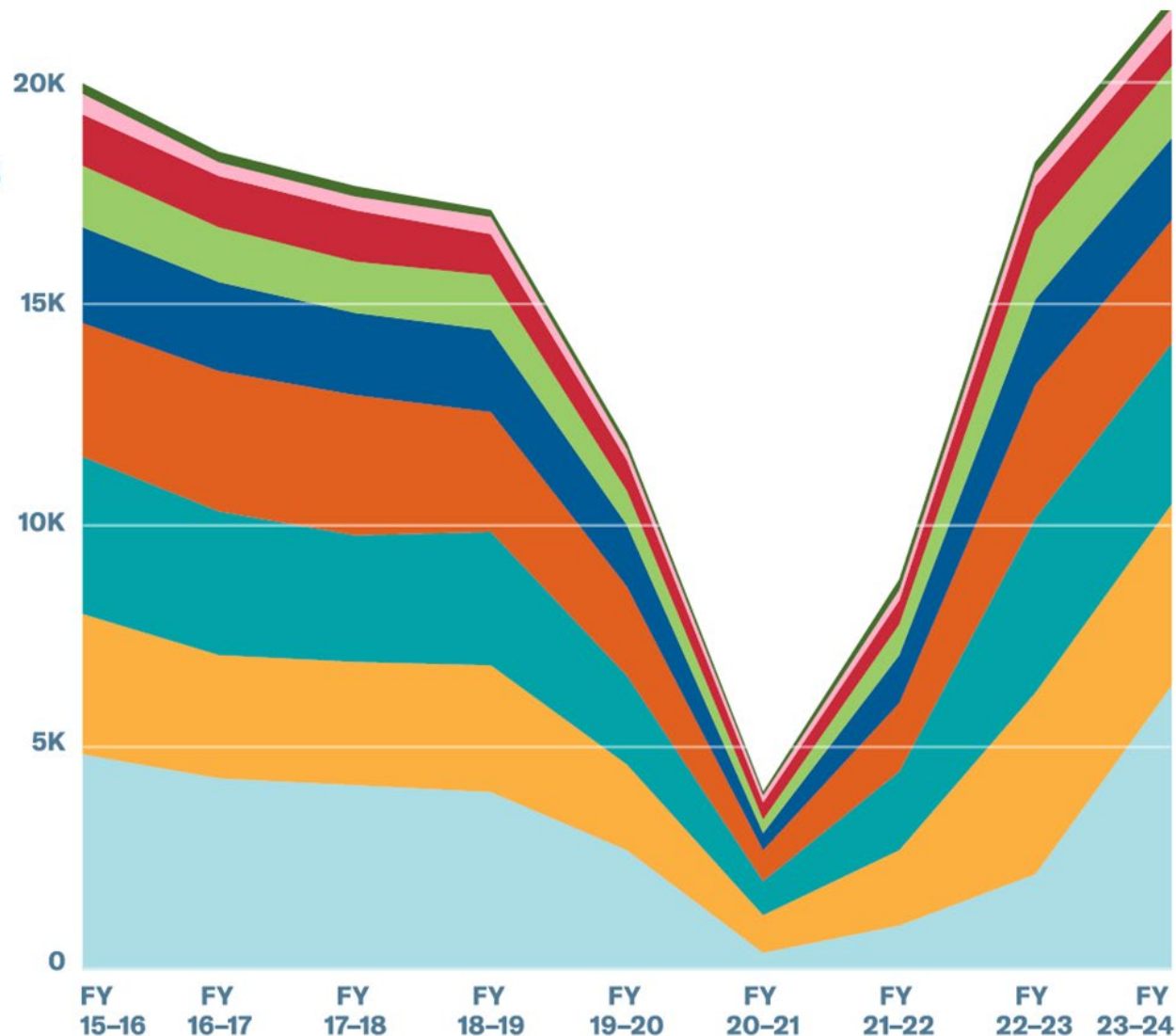
Eviction Lawsuits Filed by County 2015 – 2023

Eviction Lawsuit Filed by County: Jul 2015-Jun 2023

Sources: California
Judicial Council Court
Statistics Reports

Top to bottom:

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



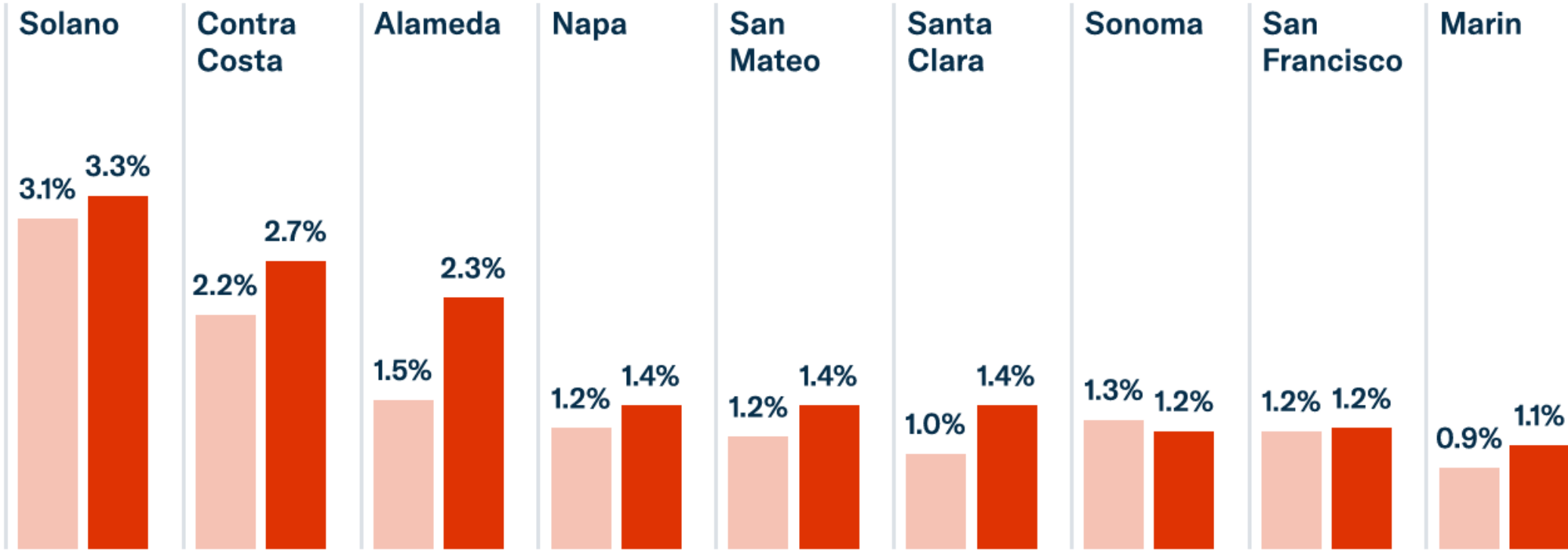
Approximately **21,767** eviction lawsuits were filed in the region from July 2023 – June 2024, meeting or exceeding pre-pandemic levels in 8 of 9 counties

Eviction Lawsuits Met or Exceeded Pre-Pandemic Levels in 8 of 9 Counties

**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

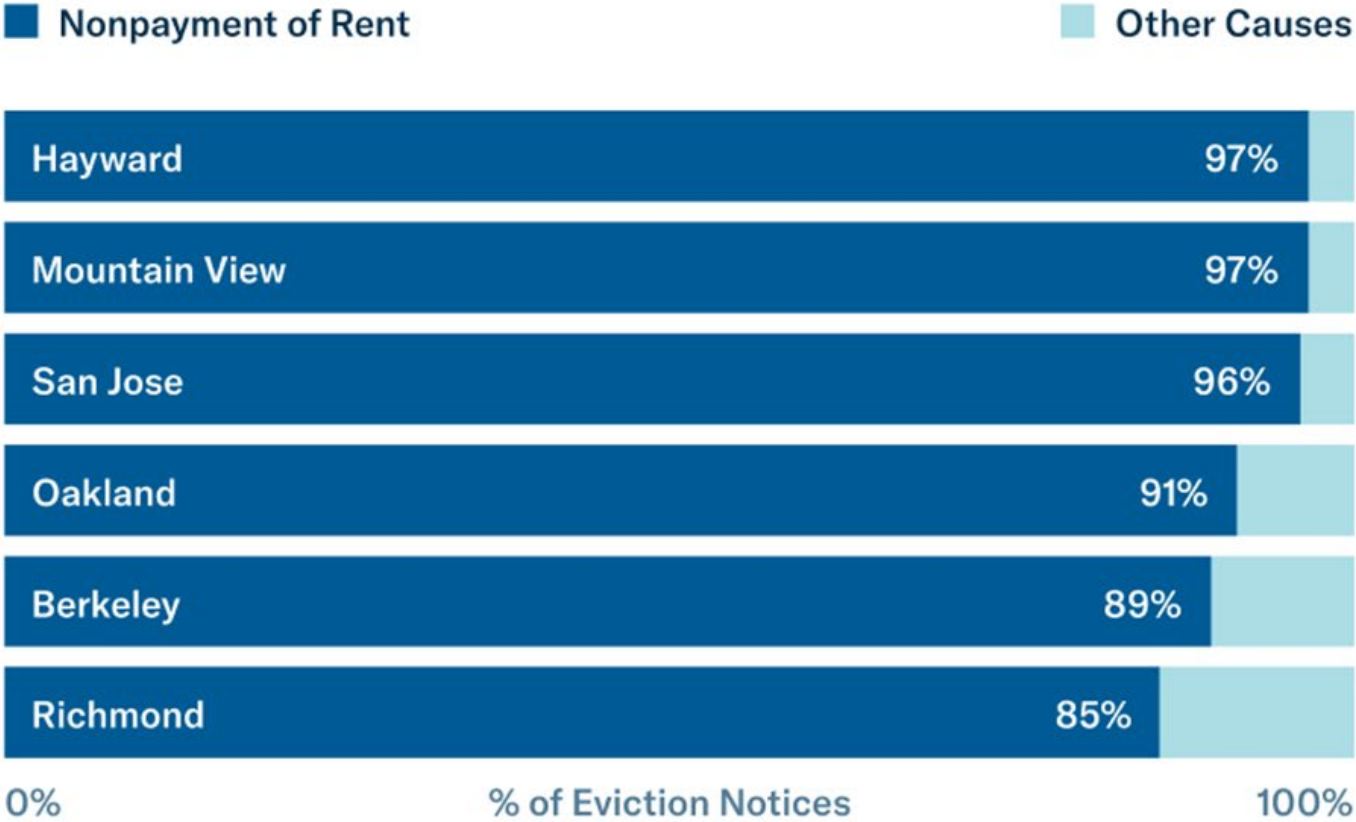
Jul 2018–Jun 2019
Jul 2023–Jun 2024



Nonpayment is Most Frequent Cause of Eviction Notice

**Causes of Eviction in
City Notice Data:
Jul–Dec 2023**

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

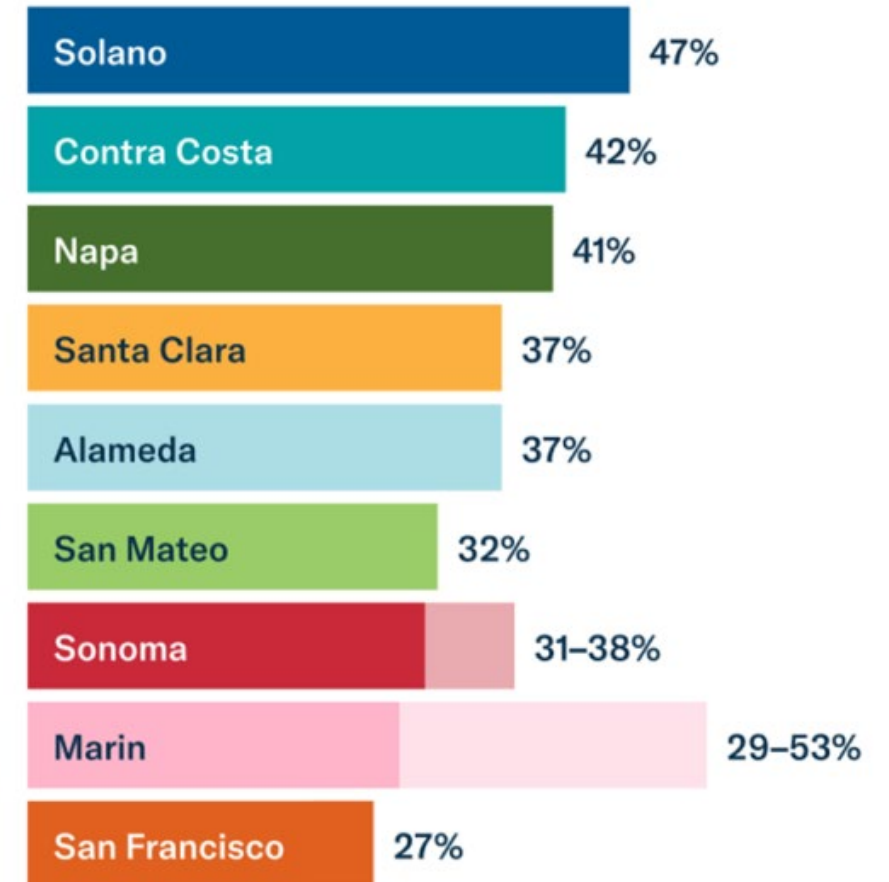


Regionwide, Estimated 37% of Eviction Lawsuits Resulted in Default Judgments July 2022 – June 2023

- A default means that the court rules in favor of the landlord because the tenant did not respond, rather than based on the validity of their case.
- Roughly one-third to half of tenants lose their eviction cases without the opportunity to present a defense.

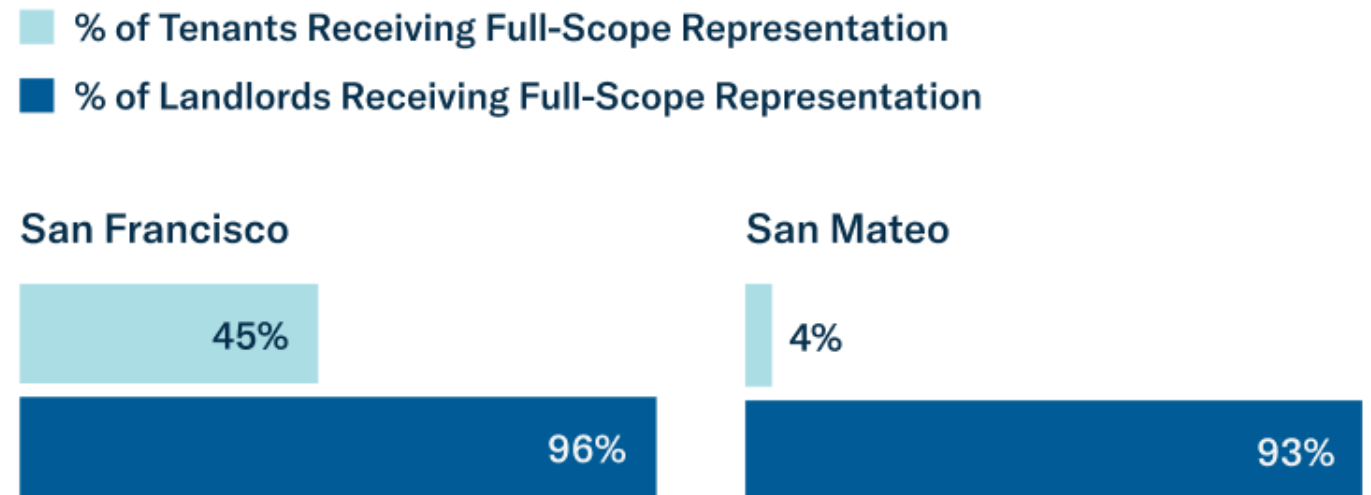
Estimated Eviction Lawsuit Default Rates by County: Jul 2022–Jun 2023

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



Gaps between Tenant and Landlord Representation

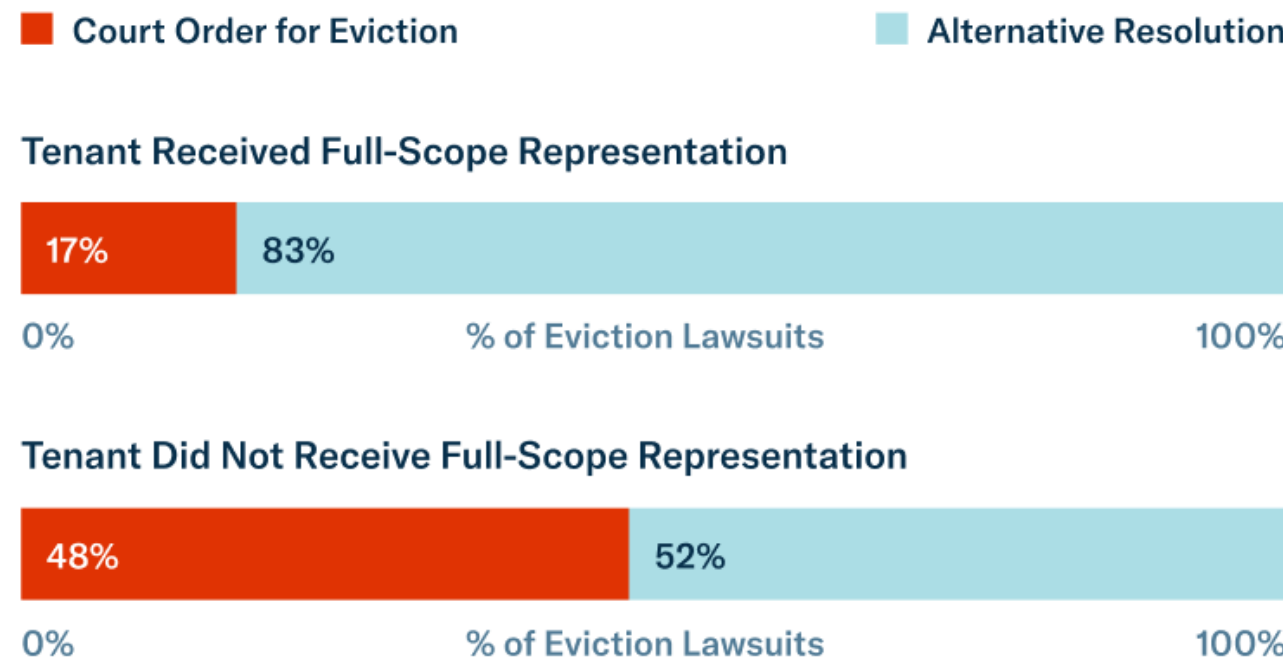
- In San Francisco and San Mateo County,* landlords were far more likely to be represented by an attorney than tenants July 2022-June 2023.
- These rates are consistent with national statistics.
- Nationally, an average of 4% of tenants and 83% of landlords are represented in eviction cases.



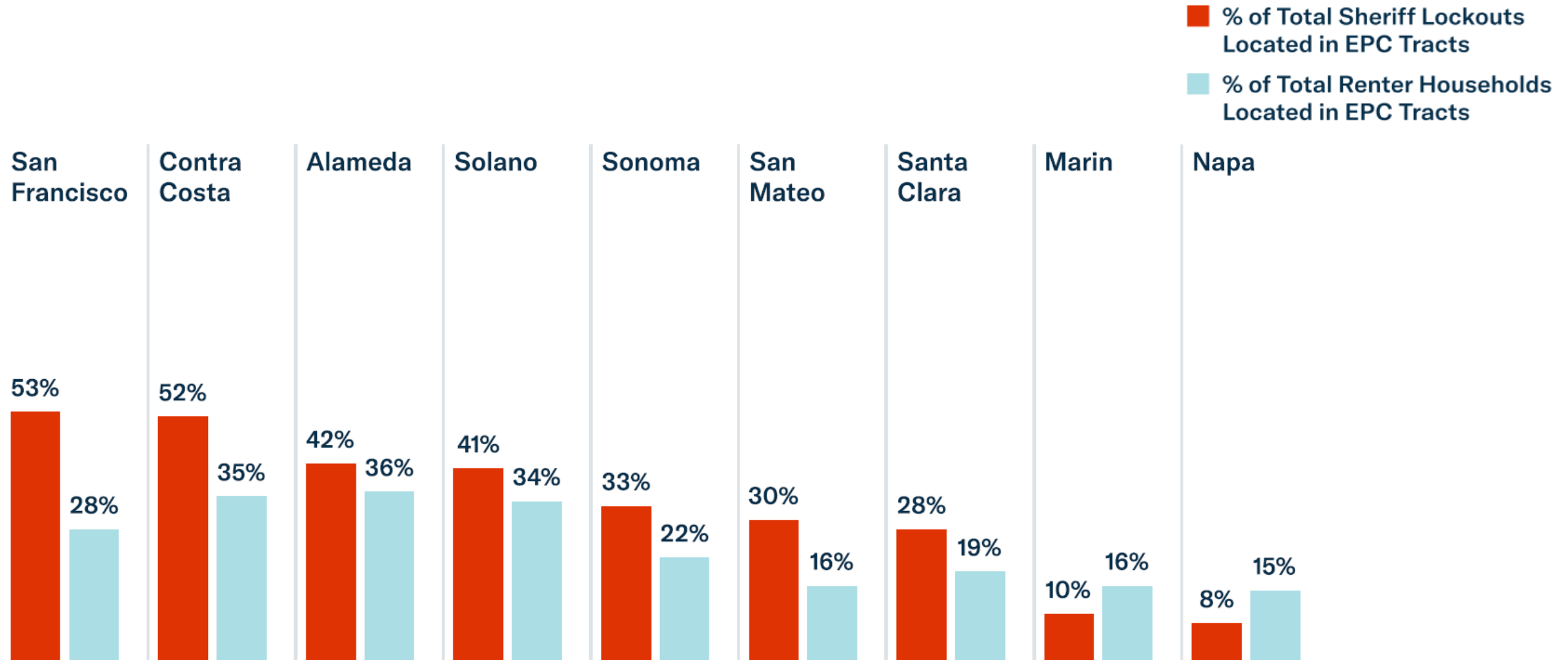
**Other counties excluded due to lack of reliable data.*

Eviction Outcomes and Tenant Representation in San Francisco and San Mateo County

In fiscal year 2022-23, 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.



Disproportionate Sheriff Lockout Evictions in Equity Priority Communities, 2023



Tenant Legal Services (TLS) Coverage

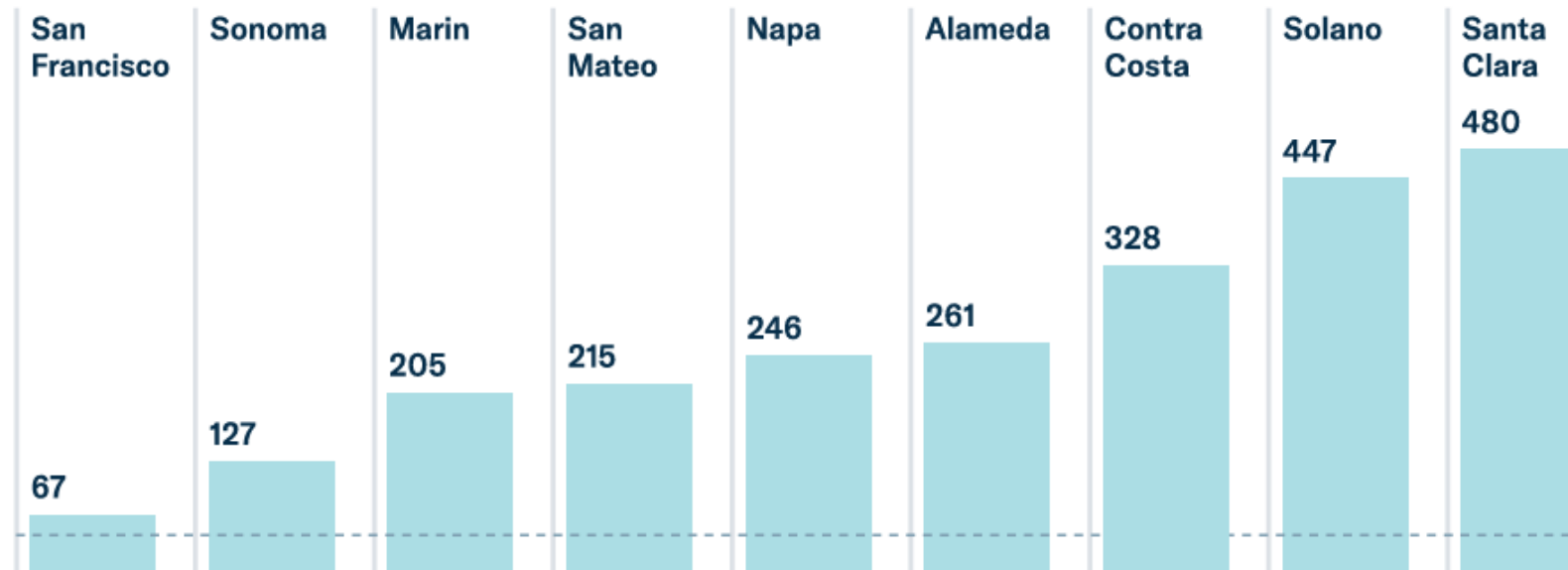
Insufficient Attorney Capacity to Represent Eviction Cases

**Eviction Filings per
TLS Attorneys Who
Represent Tenants in
Eviction Cases: July
2023–June 2024***

Sources: *BAHFA Survey of TLS Providers, California Judicial Council*

*Respondents were asked to provide the number of full-time equivalent attorneys who represent tenants in eviction cases on staff at the time of survey administration in summer 2024. California Judicial Council data on the eviction filings were used for July 2023–June 2024.

----- Recommended client load



Estimated Local Government Investments in Tenant Legal Services

Estimated Local Government Investment in TLS per Low-Income Renter Household: July 2024–June 2025

Sources: *BAHFA Survey of TLS Providers*, with approximate verification provided by local government staff; and *HUD Comprehensive Housing Affordability Strategy (CHAS)* data, based on *2017–2021 American Community Survey 5-Year Estimates*



Undocumented Residents and Geographically Isolated Areas: Lower Access to Services

“Farmworkers and undocumented/mixed status households are underserved **due to a lack of trust and fear of seeking help**, language barriers (i.e., indigenous languages), concern that they may be ineligible, and lack of familiarity with us despite our outreach efforts.”

- Sonoma County TLS Provider

“Coastal farmworker communities are significantly unrepresented. These communities are **geographically isolated** from the offices of legal services providers and have limited access to technology to receive services remotely.”

- San Mateo County TLS Provider

How Does Constraint Impact Service Provision?

- Eviction cases prioritized over other housing issues like harassment, habitability/code violations, or lease negotiations
- Lower level of service provided to tenants (ranging from no services to brief services or limited scope representation)
 - Providers reported that 73% of clients received a consultation or brief service and 27% received some form of representation.
- Prioritization of service based on urgency, legal characteristics, and perceived impact of services
- Adjustments to depth and breadth of services to make the most of limited resources

Thank you.

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