

Right to Counsel: 2025 Ordinance Report

(A review of Right to Counsel from the
start of the program & through 2025)



Detroit Right to Counsel (RTC) Ordinance



What is the Right to Counsel Ordinance?

In the City of Detroit, there's an ordinance called Right-to-Counsel (RTC) that helps people who rent their homes and are facing eviction. This ordinance gives tenants the right to have a **free** lawyer to help them in court.



The **Office of Eviction Defense (OED)** works with local legal service agencies to make sure that tenants who are in 36th District Court for landlord-tenant cases can get free legal representation to protect their rights.



Types of Cases covered: Those started in the 36th District Court to recover possession from an occupant/tenant of any residential property or cases which threatens the occupancy of a tenant including, but not limited to, eviction proceedings, mortgage foreclosures, property tax foreclosures, land forfeiture proceedings, and threats to rent subsidies



Eligibility:

200% of the Federal Poverty Level
Detroit Resident

Right to Counsel Providers



**United
Community
Housing
Coalition:
UHC**



Michigan Legal Services: MLS



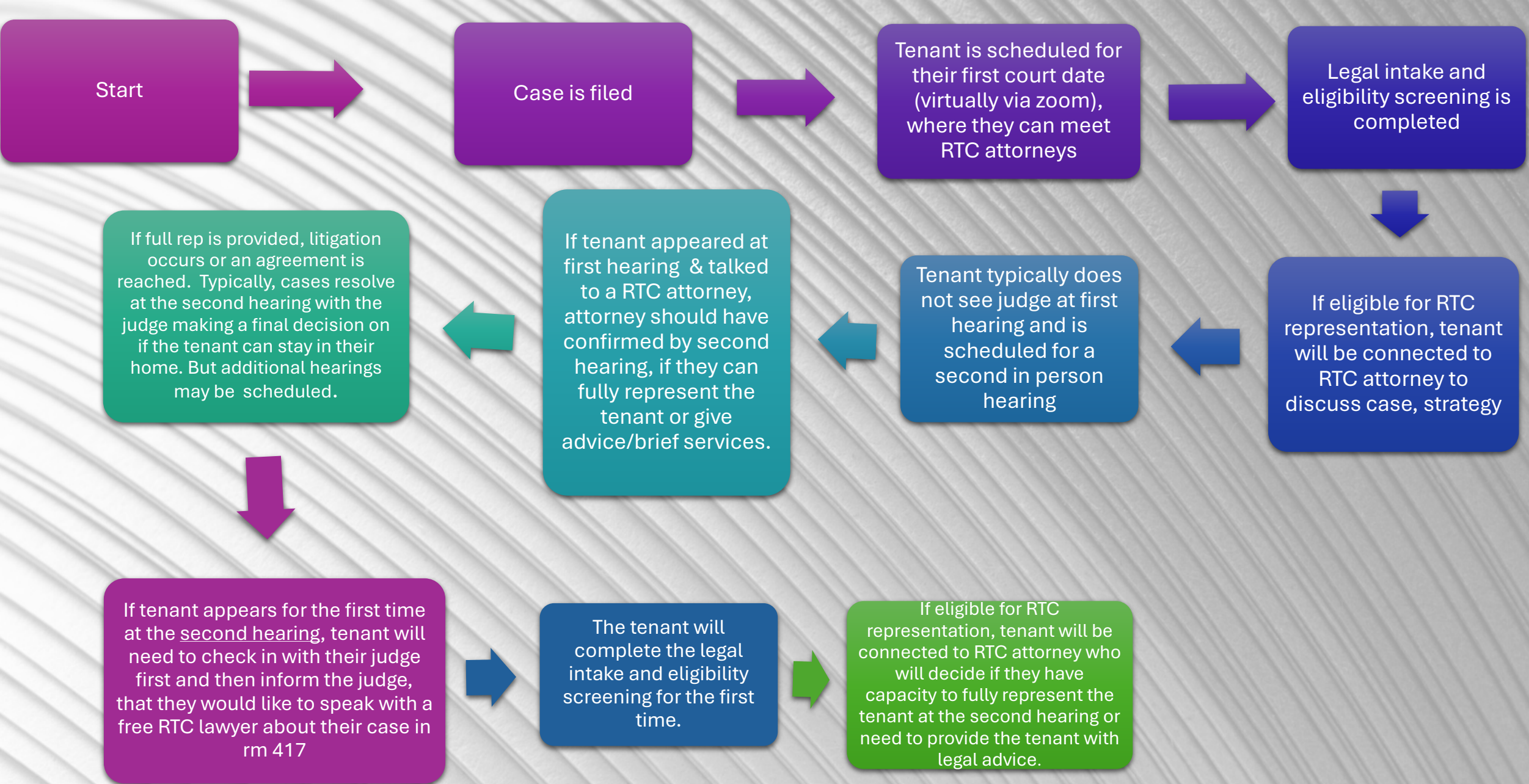
Legal Aid & Defender: LADA



Lakeshore Legal Aid: LLA



**Neighborhood Defender
Services: NDS**



Right to Counsel Program Overview

(under all funding sources, including City funding)

Representation of Right to Counsel Cases Under ALL Funding Sources	Estimated # of Covered Individuals for 2023	Estimated # of Covered Individuals for 2024	Estimated # of Covered Individuals for 2025
Number of Land-Lord Tenant Cases Filed at 36 th District Court	20,989 *Neil Steinkamp (of Stout), who does impact studies in this arena, estimates that 20% of the tenants will not qualify for RTC due to being over income	20,593 *Neil Steinkamp (of Stout), who does impact studies in this arena, estimates that 20% of the tenants will not qualify for RTC due to being over income	20,370 * RTC’ estimates that 20% of the tenants will not qualify for RTC due to being over income
Estimate of those eligible for full representation under RTC including default tenants	16,792	16,474	16,296
Estimate of tenants who appeared in court, were eligible, and received (RTC) legal services (does not include default)	11,057	10,881	11,346
Eligible and received full representation	6,541 tenants (out of 11,057 tenants)	8,387 (out of 10,881 tenants)	10,673 (out of 11,346 tenants)
Eligible and received brief legal services	4,516 tenants (out of 11,057 tenants)	2,494 (out of 10,881 tenants)	673 (out of 11,346 tenants)
Percentage of tenants who appeared, were eligible, and received full representation	59% *In 2022, however, there was a 4% representation rate for tenants prior to RTC	77%	94%

Number of Covered Individuals who received Full Representation by City Right to Counsel in 2025

City Right to Counsel Provided Full Representation for:

- 8,655 Tenants/families in 2025

Other Funding Partners Provided Full Representation for:

- 2,018 tenants/families in 2025
(totaling 10,673 full rep cases
covered in as shown in last slide)

Total number of Attorneys in 2025:

- 92

Total number of Legal Assistants in 2025:

- 43



Right to Counsel Costs

Representation of Right to Counsel Cases for 2025	Total Cost for 2025
Total number of cases closed by City RTC program alone	8,655
Total cost of cases covered in 2025 under City RTC program	<u>\$6,802,737.63</u>
Total number of tenants who appeared in court & eligible for full rep under RTC	11,346
Total cost of providing full rep to all eligible tenants who arrived at court (does not include cost to cover default population)	<u>\$9,657,715.20</u>
Total number of tenants who we believe were eligible for RTC services this year (including default population)	16,296
Total cost of providing full rep to all eligible tenants including default if they arrived at court **An additional \$1 million should also be considered for RTC City Staff and RTC outreach	<u>\$13,871,155.20</u>



City Right to Counsel funding post ARPA starting July 1, 2026

In 2025, the City Right to Counsel Provided Full Representation for:

8,655 Tenants/families and it cost a total of **=\$6,802,737.63 or \$566,894.97 monthly**

Other Funding Partners such as Gilbert family foundation, provided Full Representation for:

2,018 tenants/families in 2025 (spend unknown)

- With a total of **\$4,725,000 dollars to use on legal services post ARPA** and an average monthly rate of \$566,894 per month including all agencies, state grant **funding is likely to last about 8 months or through February 2027**, without narrowing the current scope of Right to Counsel cases taken

As of February 2026, Mayor Sheffield's team has confirmed that they are advocating for an additional \$3,000,000 for RTC from the State budget!

Funding source	Total amount awarded	Amount allocated for legal services	Estimate of Residents provided w/full rep	Amount allocated for outreach	Grant/funding Term	When is RTC likely to spend this funding in full?
Leo State Grant	\$2.5 million	\$2,225,000	2800 residents	\$250,000 to reach default population	Oct 2023-Sept 2026	By September 2026, as this will be a primary funding source post ARPA
MSHDA State Grant	\$1.5 million	\$1,000,000	1000 residents	\$350,000 outreach *\$150,000 for RTC admin costs	Oct 2024-March 2028	By December 2026, as this will be a primary funding source post ARPA
MSHDA State Grant (not yet received)	\$1.5 million	\$1.5 million	1500 residents	0	To be determined	By Dec 2026/Jan 2027 depending on when the contract is received by the City. RTC will rely on these funds post ARPA
General Fund Dollars	\$500,000 (one time)	0 (unallowable)	0	\$500,000-being used to start RTC Hotline	These dollars need to be spent by June 2026 per GF rules. Request that funds are granted in FY 27 to keep the line operational	We are working to launch the line by July 2026

**Legal Services
Total:
\$4,725,000**



Demographics of Tenants who received Full Representation under City Right to Counsel

- Although the City Right to Counsel provided full representation for **8,655 Tenants/families in 2025 alone**, the City Right to Counsel **has represented a total of 16,283 households/ tenants total** since the start of the program in March 2023-December 2025.
- The following slides will provide both demographic and outcome data for all cases that the City has covered for full legal representation from March 2023 and through December 2025.

Number of Detroit residents that received full representation in their landlord-tenant case by Postal Code

Full Representation for Detroit Residents by postal codes

- The table displays all postal codes for which the City's RTC program provided full representation for Detroit residents between March 2023 and December 2025.
- Those highlighted in yellow identify the top five postal codes with the highest number of residents who were served by RTC
- Postal code 48228 showed the highest rate of 1,503 residents who received City RTC representation
- Some zip codes fall within the City of Detroit and expand out into other surrounding cities. RTC confirmed through the Register of Actions (ROA) at 36th District Court, that all RTC cases taken/represented were for residents living within the City of Detroit and whose cases were correctly filed at 36th District Court. Postal codes shown as 'Identified in ROA' confirms that we checked all cases taken in these zip codes and confirmed that we assisted a Detroit resident and not a resident living outside of City limits.

Detroit Zip codes	Number of Resident who received full representation under City Right to Counsel in 2024	Zip Code By District
48021	5	Identified in ROA
48025	1	Identified in ROA
48121	1	Identified in ROA
48168	1	Identified in ROA
48201	769	5,6
48202	655	5
48203	376	2,3,5
48204	548	6,7
48205	876	3,4
48206	409	5
48207	895	5
48208	235	5,6
48209	196	6
48210	146	6
48211	76	3,5
48212	187	3,5
48213	352	3,4,5
48214	700	4,5
48215	312	4
48216	159	6
48217	95	6
48218	1	Identified in ROA
48219	1271	1
48220	2	Identified in ROA
48221	631	2
48222	1	Identified in ROA
48223	560	1
48224	1147	4
48225	18	Identified in ROA
48226	256	5,6
48227	1114	1,7
48228	1503	7
48229	2	Identified in ROA
48232	1	Identified in ROA
48233	5	6
48234	799	3
48235	1057	1,2
48236	23	4
48237	5	Identified in ROA
48238	794	2,7
48239	53	7
48240	5	1
48277	2	Zip code not assigned
48285	1	Zip code not assigned

Age of Head of Household

Age of Head of Household Demographic:

- Between March 2023 and December 2025, the age bracket most impacted by eviction filings were young families with a head of household in their 30s. This age bracket is reflected in **35%** of cases RTC handled during this period.
- During this period, seniors were present in **27%** of tenant cases represented by the City RTC.



Age Bracket for head of household between Mar 23 –Dec 25

18-19	32
20-29	2,529
30-39	5,773
40-49	3,443
50-59	2,348
60-69	1,429
70-79	483
80-89	57
90-99	5
Not Specified	184

Household Size

Household Size Demographic Details:

- Between March 2023 and December 2025, **31%** of cases represented under the City RTC were for a person living alone.
- Children were present in approximately 9,388 or **58%** of households during this period.
- Disabled individuals were present in roughly 3,925 or **24%** of households during this period.
- Veterans were present in roughly 409 or **3%** of households during this period.

* The notable combinations of these demographics, highlight diverse household needs amongst families who are receiving assistance under the Right to Counsel.

Total # in Household Demographics between Mar 23 – Dec 25

1	4,975
2	3,708
3	2,996
4	2,170
5	1,299
6	620
7	291
8	115
9	74
10	12
+10	12
Not Specified	11

Estimated Length at Residency

Estimated Length at Residency Demographic Details:

- Between March 2023 and December 2025, tenants living in their homes from 1-5 yrs, made up **44%** of cases represented by the City RTC.
- This reflects the challenge that thousands of residents in the City are facing with keeping stable long-term housing which is likely leading to instability with children's school, household employment and income, etc.



Estimated Length at Residency for tenants served by the program between Mar 23 and Dec 25

Less than a year	4,778
1-5 yrs	7,134
5-10 yrs	2,401
10-15 yrs	737
15-20 yrs	268
20+ yrs	310
Not Specified	655



Annual Income Brackets for tenants served Mar 23 –Dec 25

0-10,000	4,313
10,000-20,000	4,485
20,000-30,000	3,331
30,000-40,000	2,512
40,000-50,000	1,078
50,000-60,000	324
60,000-70,000	154
70,000-80,000	53
80,000-90,000	14
90,000-100,000	3
Confirmed eligible through documentation	16

Approximate Household Income

Approximate Household Income Demographic Details:

- Between March 2023 and December 2025, the highest rate of tenants served by the City's RTC program earned between \$10,000 – \$20,000 annually compared to other income brackets.
- Tenant earnings between \$10,000 - \$20,000 annually made up **28%** of tenant cases.
- Tenants earning less than \$40,000 annually make up **90%** of tenants served by the City's RTC program.

* Please note that those with a higher household income have a large household size.

Receipt of any public assistance at the time legal services were initiated

Tenants who received some form of public assistance at the time of legal services:

- Between March 2023 to December 2025, 6,622 or **41%** of tenant cases served by the RTC program reported receiving some form of public assistance at the time legal services were rendered.



Racial & Gender Demographics

Gender Distribution:

- Female: 11,852 cases = 72.8%
- Male: 4,362 cases= 26.8%
- Non-binary/Gender Non Conforming 10 cases= 0.06%
- Not Specified 9 cases= 0.06%
- Other (tenant selection) 22 cases= 0.014%
- Prefer not to say 17 cases= 0.10%
- Transgender Male 5 case= 0.03%
- Transgender Female 6 case = 0.04%

* **African Americans and women as head of household made up majority of tenant cases** represented between March 2023 - December 2025. These demographics continue to be the City's most impacted by eviction filings and most in need of Right to Counsel advocacy.



Household racial demographics between Mar 23 – Dec 25	
African-American/Black	15,006
Another Ethnicity Not Listed	38
Asian	8
East Indian	1
Hispanic	66
Indian	3
Middle Eastern/Arabic	34
Multiracial	268
Native American	40
Not Specified	384
White/Caucasian	435



Whether a rental unit was Subsidized or Unsubsidized

Subsidy cases taken:

- From March 2023-December 2025, City RTC represented tenants in **3,655** subsidized housing units, with subsidizing cases making up **22%** of all City RTC cases taken.

Private Landlord-Tenant Cases taken:

- From March 2023-December 2025, City RTC represented tenants in **12,628** unsubsidized/private housing units, with unsubsidized cases making up **78%** of the City's RTC cases taken.

Types of cases filed at 36th District Court in 2025

Types of Eviction Cases filed at 36th District Court:

- There were a total of 20,370 eviction cases filed at 36th District court in 2025. The City's RTC program handled 8,655 or **42.5%** of the eviction filings.
- Eviction for nonpayment of rent was the highest case type filed in 2025. There were 13,816 nonpayment of rent cases filed. RTC handled 5,850 or **42.3%** on the nonpayment of rent filings.
- Termination of tenancy (ToT) was the second highest case type filed in 2025. There were 5,180 ToT cases. RTC handled 2,299 or **44.5%** of ToT filings.

* Please note again that a significant portion of cases filed and represented at 36th District are paid for by other sources such as Gilbert Family, State Bar, etc

Complete Count of types of cases filed at 36 th District Court in 2025	
Non-Payment of Rent	13,816
Termination of Tenancy	5,180
Money Judgement	1,010
Land Forfeiture	271
Health Hazard/Injury	89
Other	4

Number of 36 District Cases City Right to Counsel program Represented in 2025	
Non-Payment of Rent	5,850
Termination of Tenancy	2,299
Money Judgement	308
Land Forfeiture	169
Health Hazard/Injury	20
Other	9

Estimated Number of Tenants who Received RTC Services More than Once

Estimated Number of Tenants who received RTC services more than once:

- Between March 2023 and December 2025, 868 or 5% of tenants/households served, received full representation under RTC at least twice. RTC is currently developing a process to determine how many tenants are returning for representation multiple times.



Outcomes for City of Detroit Right to Counsel Cases in 2025

+ •

* These outcomes are the result of tenant cases at final judgement.



Case Dispositions allowing occupants to Retain Possession

City Right to Counsel has represented 16,283 households/ tenants since the start of the program in March 2023-December 2025

Occupants Who Retained Possession

- **Out of the 16,283 residents/households represented by the City RTC, 8,600 of the residents/households** retained possession of their homes between March 2023 through December 2025.
- **That equates to 53%** of tenants who received full rep under City RTC retaining possession of their home.
- This percentage has improved from the 46.3% reported for tenants staying in their homes and retaining tenancy in 2024.



Case Dispositions Requiring
Occupants to vacate the premises
in any period longer than the
Statutory Minimum

Case Dispositions with Signed
Order of Evictions

&

Orders of Evictions: Bailiff
Executed

Obtained Extended Relocation Period for Client:

- **7,683 cases out of the 16,283 cases represented** or **47%** of the cases resulted in the tenants needing to relocate between March 2023 and December 2025.
- RTC attorneys were able **to advocate beyond the statutory minimum of 10 days for 92% of relocating tenants, with those tenants receiving at least 30-60 days** to vacate.

Signed Order of Evictions:

- Approximately **5%** of tenant cases that we are aware of resulted in a writ signed between March 2023 through December 2025.
- For most tenant cases where a writ or order of eviction was issued, RTC attorneys were still able to achieve outcomes that allowed tenants to **stay in their home after the writ issued, the writ was denied or quashed, or the tenant received more than the statutory minimum of 10 days to vacate.**

Bailiff Executed Evictions:

- Of the tenant cases requiring relocation, we are aware of approximately **2.2%** resulting in a bailiff executed eviction between March 2023 through December 2025.

Instances where the attorney providing full representation was discharged or withdrew



Attorney Withdrawal or Discharge

- Between March 2023 - December 2025, RTC attorneys were discharged or withdrew from the legal case in **2%** of the cases handled.
 - To improve fairness within the justice system for low-income residents of Detroit, RTC's goal is to ensure that attorney discharge or withdrawal occurs in less than 5% of the legal cases handled for the duration of the program.
- Some reasons for a discharge or withdrawal could be the tenant decides not to move forward with representation for personal reasons, there is a disagreement in how a tenant case should be handled etc.

Whether homeownership was retained or created for homeowner occupancy

Homeowner Occupancy Land Forfeiture/Contract Cases:

- Between March 2023 and December 2025 there were 276 residents/households with land forfeiture/contract cases, who received RTC representation. 108 or **39%** of those cases resulted in the client retaining ownership of their home.
- In cases where possession of the home could not be retained, RTC attorneys negotiated agreements between the landlord and client, allowing the client to rent the home and avoid eviction or they received additional time vacate.



Whether the amount of rent an eligible tenant was ordered to pay was reduced at the time of trial or final hearing

Fees/debt obligation prevented, waived or reduced

- Between March 2023 and December 2025, there were 2,234 cases where fees/debt obligations were prevented, waived or reduced for tenants.



Whether the judgments contained a settlement agreement to dismiss the case or if there was a conditional dismissal entered

Settlement Agreements and Conditional Dismissals:

- Between March 2023 – December 2025 RTC attorneys were able to negotiate settlement agreements to dismiss or conditional dismissals in 9,291 or **57%** of the cases/households represented.
- Types of settlement agreements reached or conditional dismissals entered included dismissals with & without prejudice, contested dismissals, dismiss if pays timely, and dismiss if vacates timely.



Whether eligible tenant's subsidy was retained in matters involving subsidized housing



Subsidy cases taken and preserved:

- Between March 2023 and December 2025 RTC represented tenants in **3,655** subsidized cases, with subsidies including sec 8, public housing, etc. Of those cases, RTC preserved the voucher or retained the subsidized housing for 3,173 households or **87% of the case represented.**

Dispositions requiring payment of rent arrears in money judgments

Money Judgments

- Between March 2023 – December 2025 RTC represented a total of 485 tenants/households where a money judgment was filed.
- RTC attorneys were able to resolve 346 or **71%** of those cases, resulting in the money judgment being denied.
- There were a total of 139 tenant cases requiring payment of rent arrears by money judgment.



Dispositions where payment arrangements were reached

Cases where payment arrangements were reached:

- Between March 2023 – December 2025 RTC attorneys were able to negotiate payment arrangements for 5,503 or **34%** of tenant cases.



Number of Covered Proceedings for properties without occupancy permits & Number of Covered Proceedings for properties without rental registrations

Certificate of Compliance

- Between March 2023 – December 2025, RTC legal staff were able to identify **73%** of RTC legal cases that **did not have an active CoC**.
- Of the 73%, **46%** of tenants reported **having repair issues** at the residence.
- **16%** of the tenants who identified their residence as being without an active CoC and having repairs issues, also reported these issues to BSEED prior to the start of the legal case.

Rental Registration Compliance in 2025

- Between March 2023 – December 2025, RTC legal staff were able to identify **43%** of RTC legal cases that **did not have an active rental registration**.
- Of the 43%, **47%** of tenants reported having **repair issues**.
- **16%** of the tenants who identified their residence as being without an active rental registration and having repairs issues, also reported these issues to BSEED prior to the start of the legal case.

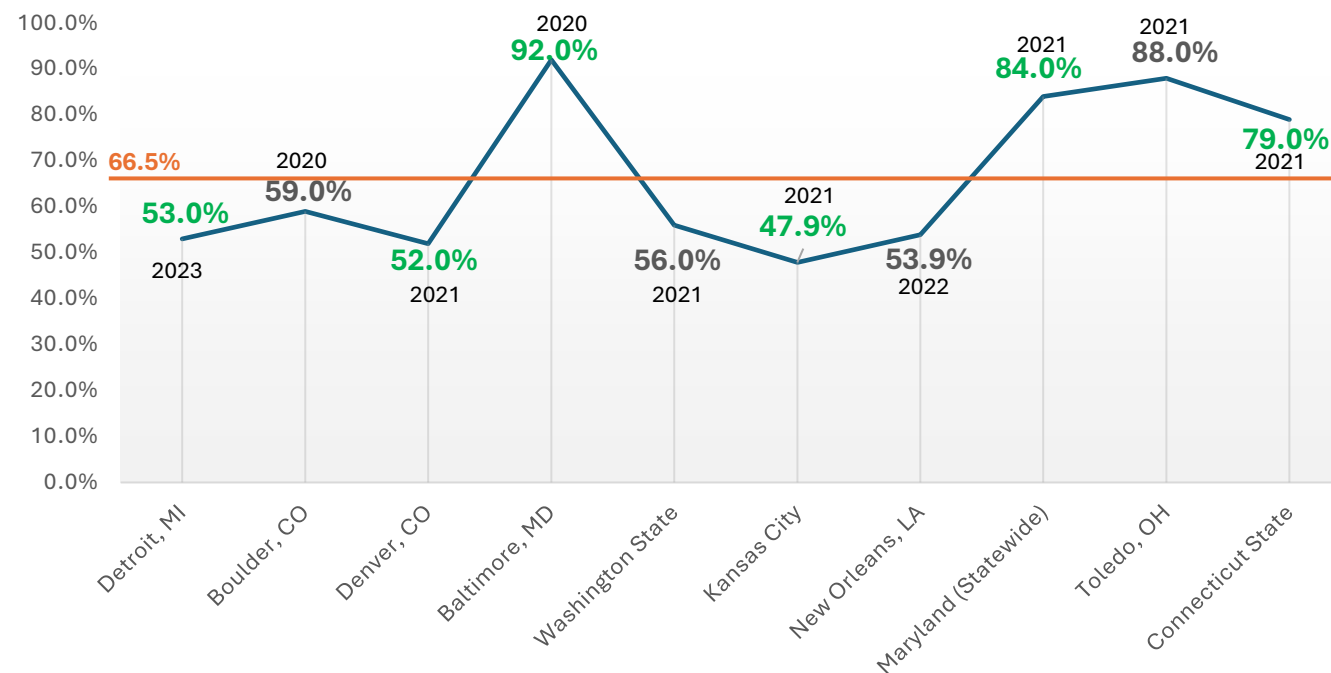
* It is important to note that the lack of certificate of compliance and registrations could be higher in these cases. The above data only shows what was captured at the start of their legal case.



The National Average for Right to Counsel Keeping Tenants in Their Homes as of 2025

City of Detroit Average = 53%

RTC National Average for Home Retention as of 2025



- There are 27 localities where RTC programs are advocating for low-income tenants to retain possession of their homes. Only 15 have reported data outlining their programs impact thus far. (National Coalition for a Civil Right to Counsel). 10 of the 15 localities started after the pandemic and track data similarly to Detroit's Right to Counsel program.
- Of the 10 only 5 have updated retention rates posted as of this presentation. Updated retention rates for 2025 are highlighted in green on the chart.
- The national average for tenants that retained possession of their homes amongst the 10 localities is **66.5%**. Our program is 3 years old and has a rate of **53%** of tenants retaining possession. However, we note that our RTC program started 2-3 years later than majority of the reporting localities listed. We are hopeful that as the program continues and we learn from other RTC programs, we will continue to increase our home retention rate also.



Strategies that could decrease eviction filings & increase the number of residents who stay in their home

- **Strategy 1: Enact a Right to Renew in the City of Detroit:** 5,180 of the eviction cases filed in 2025 were termination of tenancy. The landlord wanted the tenant to vacate and did not provide further explanation or justification. Pressure was then put on the tenant to find somewhere else to live in 30 days. The city of Ann Arbor passed their Right to Renew ordinance in 2022, stating that landlords may not deny renters lease renewals without just cause. Landlords who fail to do so must pay up to two times the tenant's current rent to help them relocate. A similar ordinance in Detroit would likely decrease termination of tenants' filings, keep more tenants housed, or help them to find new housing sooner due to relocation assistance from the landlord.
- **Strategy 2: Court enforcement of State law and the Detroit Rental ordinance:** When landlords do not have the certificate of compliance in accordance with State law and the Detroit rental ordinance, the Court could enforce the law and dismiss eviction cases filed by these landlords, until they become compliant. This would also decrease the number of case filings and overall RTC costs.
- **Strategy 3: Implement a Robust Right to Counsel Program like Maryland**
 - RTC in Maryland statewide. They created a bill that increased surcharges on landlord-tenant filing fees, other civil filings, and circuit court case filings. Surcharges range from \$3 to \$18 dollars depending on the type of case filed. The money from the surcharges is then used to fund three areas:
 - The Maryland legal services corporation fund (2) the Right to Counsel in evictions special fund and (3) The rental assistance special fund which supports tenants and landlords by having money available to pay back rent to the landlord when needed. In their first year (2019), they generated over \$13 million total.