



July 20, 2020

RE: Eviction Court Records Data
New York State Unified Court System, Office of Court Administration

To Whom it May Concern,

In recent years, community conversations about evictions have intensified in Rochester thanks to the grassroots work of the Rochester Citywide Tenants Union, a visit from prominent evictions researcher Mathew Denker, and increased policymaking focus from the New York State legislature. Much of the activity is driven by increased anxiety over real estate investment and potential for gentrification and displacement. However, a true understanding of local eviction trends has not been available due to limited access to data. As policy and advocacy conversations continue to unfold, it is important that they are grounded in the facts so as to more accurately inform solutions.

To these ends, the City of Rochester was able to obtain ten years of local eviction court records thanks to a data sharing agreement with New York State Unified Court System, Office of Court Administration (OCA). Access to this data is available to any City or local government, and may be accessible by university and non-profit organizations under strict use conditions. Please contact Annette Parisi at OCAdatarequest@nycourts.gov to discuss the process for access.

This dataset contains highly sensitive and personally identifying information, and is rightfully protected by new laws passed in 2019 that limit the sharing of eviction court records that might otherwise be sold and used by landlords to screen tenants for past evictions. The data sharing agreement the City of Rochester signed in 2019 requires encrypted transmission and storage of the data and requires the City to limit access to the raw PII records to one person. Our staff person was able to conduct an in-depth analysis of the data, including using GIS to link the court records with City property data to analyze trends by property type, correlations with code enforcement, as well as general case outcomes. This also allowed for analysis of neighborhood geographic trends. A report on the findings is forthcoming. However, issues with data quality and the lack of demographic information limited the value we could get from this exercise and left us with many unanswered questions.

After thoroughly exploring the data and reviewing findings with community partners, we have the following recommendations to OCA for improvements to the data system. These recommendations would help communities better understand the facts surrounding evictions taking place in their communities, and allow communities to potentially integrate data streams to better serve our citizens.

Recommended improvements to the data system:

1. Capture Additional Unique Identifiers

Collect tenant date of birth, and social security number to enable better data linking of the same people across systems. There are growing efforts to link data across administrative systems to provide better proactive support to families in need, as well as more comprehensive analysis of each person's interactions and outcomes across education, health, and social services systems. Currently the data does not provide these identifiers or the ability to do robust data linking.

2. Capture Demographics



Collect race/ethnicity, gender, and other demographics to enable analysis by these demographics and related equity issues. Currently the data does not provide these features.

3. Capture Income and Source of Income

Collect tenant income and source of income, to better understand employment status and prevalence of public benefits programming in eviction cases. Currently the data does not provide these features.

4. Collect Household/Family Features

Collect household member demographics, to understand prevalence of households with children, household size, etc. Currently the data does not provide these features.

5. Improve Capture of Data on Appearance and Legal Counsel

Improve documentation in the system of whether the tenant appeared for court, and if they had Counsel. Fields that were intended to capture these features were not consistently filled out in the system. We are currently in discussion with staff from OCA and our local court about another system in which this information may have been captured. In any event, all of this information should be in one system or easily linked.

6. Improve Data Entry Consistency

We would like OCA to work with local Court staff to ensure complete and consistent entry of data. Many fields showed incomplete data entry, or inconsistent formatting of things like names, addresses, etc. This makes it very difficult to perform analysis or data linking without extensive review and manual data cleanup.

7. Provide Improved and Ongoing Access

Through a secure API or other mechanism, provide a live feed of the data to authorized agencies. Through specialized data sharing protocol, enable agencies to link court data to their own client records. This would enable them to know when to provide proactive services to clients at risk of eviction. This could also provide the ability to evaluate the impact of social service programs on reducing evictions. Additionally, provide a public anonymized data feed stripped of all sensitive and identifying information that would allow the community to analyze and track basic statistics about evictions in the local community. Provide a public dashboard that allows more basic users to pull up eviction statistics by local jurisdiction.

It is important to consider that the above recommended improvements to the data system would likely provide no immediate/direct benefit to local courts or OCA. In fact this would likely require funding for system improvements, and ongoing additional staff labor from OCA and local court staff. Capturing this information will also require new disclosure from tenants when coming to court, which may be difficult to implement and ensure compliance. The costs and lack of immediate benefit may pose a barrier to implementing these improvements by just advocating to OCA. To overcome the barriers may require a larger cross-sector advocacy effort working with New York State.

However, we firmly believe there would be immense downstream benefits to OCA, local courts, and many actors in the system if these improvements could be implemented.

Benefits From Recommended Improvements:

1. General Community Understanding

Through improved means of access to the data recommended in #7, communities across New York State would have the ability to analyze and draw insight from their local eviction court records. This would provide a better understand the facts and trends surrounding evictions in their jurisdiction, and help inform community conversation about potential policy change and programmatic supports for citizens. Absent this access, communities are proceeding with these conversations without a complete understanding of the issues and may propose solutions that don't adequately address the root causes of eviction, or worse, have unintended negative consequences.

2. Better Demographic Understanding

If the system captures demographic data, court staff, and external researchers can analyze the demographics of the citizens who are engaged in eviction court cases. This would be especially valuable to statewide reform efforts such as Justice for All and the general increased focus on

racial equity issues. This data would help ground reform efforts in the facts as opposed to anecdote. This would help clearly identify the extent to which there are inequities in court outcomes associated with race and other demographic features and provide the community with a baseline for improvement efforts. This would also help identify features about clients at most risk for eviction, and potentially help better understand the root causes that may be leading to evictions. Understanding the root causes could help the community better target policy changes or design services to address underlying issues before there is even risk of an eviction. For example, the data may help identify that a significant portion of defendants in eviction cases recently lost their job. Further research may show that they lost their job due to an unexpected breakdown of their car. This may help inform a new service to better educate residents on car maintenance and provide emergency vehicle repair grants.

3. Proactive Intervention and Services

Recommendation 7 above would create a secure live data feed that would enable court data to be linked and integrated with other administrative databases to better serve citizens. For example, the data could be linked and integrated with Office of Temporary and Disability Assistance data to allow local County staff to see which of their public benefits clients have received an eviction filing. This would allow staff to target them with eviction prevention services and/or rent stabilization support. Another example would be a local school district- the linked data which would enable teachers and staff to better understand which students are currently experiencing a housing crisis and could provide them with specialized service to keep their learning on track.

4. Improved Outcome Evaluation

With the data linking in recommendation 7, agencies and researchers could also evaluate the impact of services on reducing evictions. For example, a staff person could see if a citizen who received emergency rent support to stop an eviction was then evicted anyway 6 months later. This could also be used to track clients over longer periods of time, and help the community understand what types of services and supports are most effective at long term housing stabilization. Even more in-depth analysis could calculate the “true cost” of an eviction, by adding up the costs of services and supports received by a family, and other costs incurred by government/society. This type of analysis is the basis for a new wave of funding models that pay for services based on the projected long term savings to government entities.

While it has its limitations, access to this dataset is incredibly valuable to local communities in better understanding evictions taking place in their jurisdiction. The City of Rochester would like to join others to promote increased awareness and access to this data across New York State. We also would strongly advocate for the above recommended improvements to the data system that would enable communities to further understand issues surrounding evictions and better serve their residents experiencing the threat of eviction. With these tools in hand we can better serve at-risk families and ensure they have the housing stability they need to grow and thrive.

Sincerely,

Lovely A. Warren
Mayor