

# EVICTION IN ILLINOIS

## A DISTURBINGLY COMMON OCCURRENCE

Tens of thousands of individuals face eviction in Illinois each year.<sup>1</sup>

- **56,948** eviction cases were filed against tenants in 2016.
- In those cases, **26,453** resulted in evictions (46%).
- This means at least **72 Illinoisans and their families lose their homes every day.**

The other **30,495** households, **54%** of all cases, may have had their case dismissed or made an agreement with their landlord to stay in the rental home. **Regardless of the outcome, each of these filings results in a public record of an eviction filing for an individual, creating a permanent obstacle to renting an apartment or home in the future.**

These numbers do count “informal” evictions, i.e., people told to or forced to leave their apartment outside of the court process. Evidence suggests that these informal evictions are even more common than those in which the landlord follows the legal requirements to evict a tenant. And these numbers do not reflect how many individuals were affected by a case; each filing or eviction can destabilize an entire family, not just an individual.

## EVICTIONS CAUSE POVERTY, AFFECT US ALL

Being evicted can kick off or deepen a spiral of financial instability. It can affect a person's ability to get or keep a job, care for family, stay in good health, build or maintain relationships, and secure future housing. Just having an eviction filing on the public record can also be a serious obstacle in securing future housing. The consequences of eviction are both immediate and long term, and they spread into all aspects of individual, family, and community life. An increase in a community's economic instability is correlated with higher crime rates and higher healthcare and social service costs.<sup>2</sup> **The issue of eviction affects everyone in a community.**

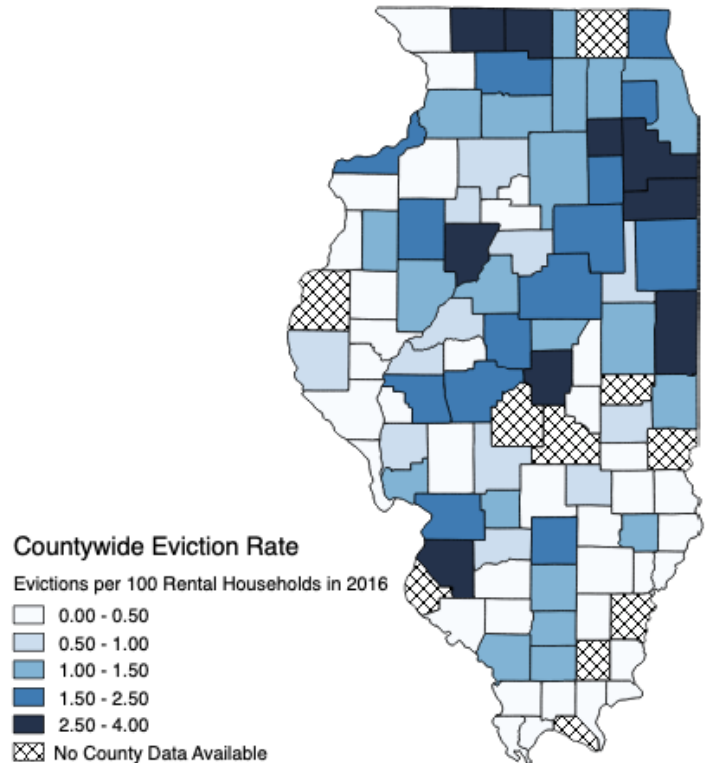
## AN UNEVEN PLAYING FIELD FOR TENANTS

A recent report<sup>3</sup> published by Housing Action Illinois and Lawyers' Committee for Better Housing found that in Cook County:

- **81%** of landlords appeared with legal counsel in eviction court, compared to just **12%** of tenants.
- Tenants are often unfamiliar with what defenses and resources are available to them.
- **33%** of completed cases resulted in a final judgment on the first court date. Many tenants do not realize that a first appearance in court can decide the fate of their housing and leave them with a lasting eviction record.

Based on reports from legal providers and others, we estimate that similar conditions exist throughout Illinois.

## EVICTION RATE BY COUNTY



## A STATEWIDE PROBLEM

Eviction is prevalent throughout the state. Among Illinois's 8 cities with populations of more than 100,000 residents, the cities with the highest eviction rate are **Rockford**, **Joliet** and **Peoria**. Eviction is also prevalent in small and mid-size cities, as well as in suburban and rural areas. Approximately **2/3** of evictions cases are brought outside of Cook County, even though the majority of renters in Illinois live in Cook County.

COUNTIES		LARGE CITIES (>100K)	
County	Eviction Rate	City	Eviction Rate
Will	3.97%	Rockford	4.55%
Winnebago	3.81%	Joliet	4.23%
Stephenson	3.66%	Peoria	3.45%
Kankakee	3.62%	Springfield	2.31%
Macon	3.30%	Aurora	1.69%
Peoria	3.12%	Elgin	1.6%
St. Clair	2.99%	Naperville	1.38%
Vermilion	2.97%	Chicago	1.1%

Eviction Rate: Evictions per 100 renter households in 2016

# ***“Eviction is a cause, not just a condition, of poverty.”***

*- Matthew Desmond*

## **WHO GETS EVICTED?**

### **People who can't afford rent.**

**Housing costs are rising faster than income and earnings.** In line with upward national trends, **34%** of Illinoisans now rent their homes.<sup>4</sup> Combined with rising rents and utility costs, stagnant wages, and a lack of investment in federal housing programs, this has created a situation in which far too many working families are unable to afford both rent and basic necessities. To afford a modest two-bedroom apartment in Illinois without spending more than **30%** of their income on rent and utilities, a worker must earn **\$20.34**.<sup>5</sup> Our state minimum wage is **\$8.25**. Given these numbers, it is no surprise that **72%** of extremely low-income renters spend more than half their income on housing costs.<sup>6</sup> Someone may work full time or juggle two jobs but still not be able to afford rent.

Studies suggest that the vast majority of tenants facing eviction have missed rent payments. A report on Milwaukee found that **92%** of tenants in eviction court have missed a rent payment.<sup>7</sup> The money in question is likely to be a relatively small amount; a Seattle study found that the money in question for a tenant facing eviction is usually **one month's rent or less**.<sup>8</sup>

### **Black women and families.**

Studies suggest that **black women and families are disproportionately likely to be evicted**. The aforementioned Seattle study finds that women make up **60%** of evicted tenants, black women are **three times** more likely to be evicted than white women, and neighborhoods with more children have more evictions. A study of Richmond, VA found that as African American populations increase by **10%**, eviction rates increase by **1.2%**, controlling for housing and labor market characteristics.<sup>9</sup> Although we do not have Illinois-specific data, comparing maps with demographic data and eviction rates suggest that these findings hold true in Illinois as well.

### **People faced with gentrification, foreclosure, and other reasons beyond their control.**

Households are frequently evicted for reasons beyond their control. Households that make rent every month and abide by their lease terms are still subject to eviction. If renting a condo, the building's homeowner's association may have broad control to evict tenants of members' property, for issues unrelated to rental payment. Residents may be evicted if their landlord's property is foreclosed on or if the building is redeveloped. Similarly, if market rents in the community rise faster than the household can match, families are at risk of being evicted.

## **THE STIGMA OF A PUBLIC FILING**

In 2016, everyone named on a lease from **30,495 households in Illinois ended up with an eviction filing on their public record despite not being evicted**. This includes cases that were dismissed and cases where tenants were able to successfully resolve the issue where their landlord and state in the apartment.

**An eviction filing on the public record can have lasting consequences for a tenant.** Many landlords will refuse to rent to someone if they see an eviction filing on their record, regardless of a case's context or outcome. Incomplete or unclear court records—whether accessed directly online or through a tenant screening company—only make this problem worse.

## **THE WAY FORWARD**

- **Seal records at the point of filing.** Since the impact of an eviction record is so detrimental to someone's ability to secure housing, we propose that eviction cases only become available to the public after the case results in an eviction order or other judicial finding against the tenant.
- **Expand access to discretionary sealing of eviction records.** Current Illinois law has extremely restrictive criteria for getting an eviction record sealed by a judge. A more reasonable standard would allow judges to take additional factors into consideration, such as whether the landlord and tenant entered into a settlement agreement.
- **Increase legal representation for low-income tenants facing eviction.** There is precedence for this based on recent “right to counsel” ordinances passed in New York City and San Francisco. Studies estimate the savings in homeless shelter costs from people being able to stay in their homes will more than cover the legal aid expenses.<sup>10</sup>
- **Expand access to affordable housing for extremely low-income households.** The most powerful and effective way to prevent and mitigate the harmful effects of eviction is to protect and expand affordable housing.
- **Restore funding for Illinois's Homeless Prevention Program to \$11 million.** This proven program helps households facing temporary economic crises avert homelessness through small, one-time grants to help pay past-due rent. A study of outcomes in Chicago found that recipients were **88%** less likely to become homeless after three months than those who did not receive a prevention grant.<sup>11</sup> The program has gone through dramatic cuts recently, and is only funded at \$4.9 million for FY2019.

# EVICTION FILINGS & RATES BY COUNTY

54% of eviction filings in Illinois do not result in a negative judgment

All rates shown are based on 2016 data from The Eviction Lab

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We believe that this data underestimates the scope of evictions in Illinois. See endnotes for more detail.

Eviction Filings: Number of evictions filed

Total Evictions: Total formal evictions ordered by a judge

% Cases Without Negative Judgment: Cases with no negative judgment against the tenant, but a permanent public record was created anyway

County	Eviction Filings	Total Evictions	% Cases Without Negative Judgment
ILLINOIS	56,948	26,453	54%
Adams	117	62	47%
Bond	48	19	60%
Boone	83	49	41%
Bureau	51	35	31%
Carroll	6	5	17%
Cass	11	11	0%
Champaign	1034	588	43%
Clay	3	2	33%
Clinton	50	32	36%
Coles County	184	81	56%
Cook County	30610	10903	64%
Crawford	4	3	25%
De Witt	32	18	44%
DeKalb	326	229	30%
DuPage	3040	1509	50%
Edgar	49	29	41%
Effingham	39	26	33%
Fayette	9	6	33%
Ford	8	8	0%
Franklin	81	52	36%
Fulton	59	53	10%
Gallatin	1	1	0%
Greene	17	12	29%
Grundy	174	86	51%
Hamilton	2	1	50%
Henry	9	5	44%
Iroquois	78	54	31%
Jackson	395	146	63%
Jasper	2	2	0%
Jefferson	69	57	17%
Jersey	32	26	19%

County	Eviction Filings	Total Evictions	% Cases Without Negative Judgment
Jo Daviess	11	9	18%
Johnson	1	1	0%
Kane	1362	648	52%
Kankakee	700	493	30%
Kendall	375	171	54%
Knox	170	128	25%
La Salle	296	177	40%
Lake	2385	1402	41%
Lawrence	2	2	0%
Lee	78	42	46%
Livingston	98	71	28%
Logan	73	59	19%
Macon	566	485	14%
Macoupin	105	8	92%
Madison	1159	641	45%
Marion	114	89	22%
Marshall	5	4	20%
Mason	14	14	0%
McDonough	22	18	18%
McLean	756	512	32%
Menard	7	5	29%
Mercer	2	1	50%
Montgomery	29	17	41%
Morgan	132	99	25%
Moultrie	3	3	0%
Ogle	129	88	32%
Peoria	1405	858	39%
Perry	2	1	50%
Piatt	12	7	42%
Pike	6	5	17%
Pope	1	1	0%
Putnam	2	1	50%

County	Eviction Filings	Total Evictions	% Cases Without Negative Judgment
Randolph	2	1	50%
Richland	26	20	23%
Rock Island	614	419	32%
Sangamon	1337	567	58%
Schuyler	1	1	0%
St. Clair	1539	1115	28%
Stark	6	4	33%
Stephenson	289	218	25%
Tazewell	303	190	37%
Union	9	4	56%
Vermilion	561	308	45%
Warren	24	24	0%
Washington	9	5	44%
Whiteside	101	90	11%
Will	3151	1708	46%
Williamson	183	110	40%
Winnebago	2104	1474	30%
Woodford	39	25	36%

The data set did not show any court-ordered evictions in the following counties (omitted from table):

Alexander, Brown, Calhoun, Cumberland, Edwards, Hardin, Henderson, Pulaski, Scott, Wabash, Wayne.

Counties with missing data (omitted from table):

Christian, Clark, Douglas, Hancock, Knox, Livingston, Massac, McHenry, Monroe, Saline, Shelby, White, Whiteside.

Counties with an especially high chance of underreporting:

Adams, Boone, Bureau, Carroll, Cass, Champaign, Christian, Clark, Clay, Clinton, Coles, Crawford, De Witt, DeKalb, Effingham, Fayette, Ford, Fulton, Henry, Jackson, Jefferson, Jersey, Jo Daviess, Kane, LaSalle, Lawrence, Mason, McDonough, McLean, Mercer, Moultrie, Perry, Piatt, Pike, Randolph, Rock Island, Tazewell, Union, Wabash, Washington, Wayne, Whiteside, Williamson. These counties were flagged by the Eviction Lab as having a high probability of undercounting due to large differences between the amount of individual cases analyzed and the total amount of evictions the state reported.

Learn more: [evictionlab.org/methods](http://evictionlab.org/methods)

# ENDNOTES

1. Unless otherwise noted, data in this issue brief has been sourced from the Eviction Lab National Database. These calculations, based on the data released by the Lab in April 2018, include only households drawn into the legal process, and Eviction Lab acknowledges gaps in their data. For example, data collected for the Lawyers' Committee for Better Housing for our March 2018 report, *Prejudged*, found a similar number of total eviction filings in Cook County, but a significantly higher number of actual eviction judgments against tenants (e.g., 15,558 eviction judgements in Cook County in 2016 from the *Prejudged* data, compared to 10,903 judgments from the Eviction Lab data). For this and other reasons, we believe that the Eviction Lab data provides very conservative estimates.  
  
Matthew Desmond, Ashley Gromis, Lavar Edmonds, James Hendrickson, Katie Krywokulski, Lillian Leung, and Adam Porton. *Eviction Lab National Database: Version 1.0*. Princeton University, April 2018, [www.evictionlab.org](http://www.evictionlab.org).
2. Emily Peiffer, "Why We Need to Stop Evictions Before They Happen." *How Housing Matters*: John D. and Catherine T. MacArthur Foundation and the Urban Institute, July 2018. [www.howhousingmatters.org/articles/why-we-need-to-stop-evictions-before-they-happen](http://www.howhousingmatters.org/articles/why-we-need-to-stop-evictions-before-they-happen).
3. *Prejudged: The Stigma of Eviction Records*. Housing Action Illinois and Lawyers' Committee for Better Housing, March 2018. [www.housingactionil.org/eviction](http://www.housingactionil.org/eviction).
4. Aurand, Andrew, Dan Emmanuel, Diane Yentel, Ellen Errico, Jared Gaby-Biegel, and Emmar Kerr. *Out of Reach: The High Cost of Housing*. National Low Income Housing Coalition, 2018, [www.nlihc.org/orr](http://www.nlihc.org/orr).
5. Ibid.
6. Andrew Aurand, Dan Emmanuel, Diane Yentel, Ellen Errico, Jared Gaby-Biegel, and Marjorie Pang. *The Gap: A Shortage of Affordable Homes*. National Low Income Housing Coalition, 2018, [www.nlihc.org/sites/default/files/gap/Gap-Report\\_2018.pdf](http://www.nlihc.org/sites/default/files/gap/Gap-Report_2018.pdf).
7. Matthew Desmond. "Eviction and the Reproduction of Urban Poverty." *American Journal of Sociology*, July 2012.
8. Tara Cookson, Margaret Diddams, Xochitl Maykovich, Edmund Witter. "Losing Home: The Human Cost of Eviction in Seattle." Seattle Women's Commission and the King County Bar Association, 2017, [www.kcba.org](http://www.kcba.org).
9. Benjamin F. Teresa. *The Geography of Eviction in Richmond: Beyond Poverty*. RVA Eviction Lab, Virginia Commonwealth University, 2018. [www.cura.vcu.edu/ongoing-projects/rva-eviction-lab](http://www.cura.vcu.edu/ongoing-projects/rva-eviction-lab).
10. *The Financial Cost and Benefits of Establishing a Right to Counsel in Eviction Proceedings Under Intro 214-A*. Stout Risius Ross, March, 16, 2016.
11. *Emergency Rental Assistance Prevents Homelessness*. Wilson Sheehan Lab for Economic Opportunities, University of Notre Dame, August 2016. [www.leo.nd.edu/assets/293962/hpcc\\_policy\\_brief1\\_final.pdf](http://www.leo.nd.edu/assets/293962/hpcc_policy_brief1_final.pdf).

## FOR MORE INFORMATION

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A stronger Illinois begins at home