

Advancing Housing Justice in Tulsa

AN EXAMINATION OF THE FED DOCKET

June 8, 2020



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I. Introduction

Tulsa's families and individuals living in economic precarity stand on the precipice of losing their housing. According to court records from January, a family lost their home over a sum of \$48. Tulsa's eviction rate places it among the top evictors in the country. In 2016, it ranked 11th among US cities.¹ Eviction numbers have remained relatively constant since then. In 2019, the dockets indicate that landlords initiated 14,315 evictions against residential tenants in Tulsa County. As of March 12, eviction filings in 2020 had reached roughly 2,936, more than 1,000 per month before the court shut down because of COVID-19 on March 16. The ease of eviction filings combined with access to justice barriers for tenants have contributed to the eviction problem, while lessening the impact of alternatives such as early settlement mediation.

The COVID-19 crisis has brought little relief to the city's or state's housing crisis. The Housing Policy Scorecard posted by Princeton University's Eviction Lab ranks Oklahoma at the bottom, together with 10 other states, with a score of zero (0) out of 5.00 for its response to the housing crisis during the pandemic.² While eviction proceedings were put on hold, eviction filings were not, resulting in 2,680 eviction filings between March 16 and May 22, with 976 of those in Tulsa County.³ As the courts reopen, this situation stands to exacerbate existing problems in the eviction process, placing many Tulsans at risk of homelessness.

At a time when evictions bring heightened individual and public health implications, identifying the access to justice barriers that contribute to evictions is essential. Students from the Terry West Civil Legal Clinic (TWC) at the University of Tulsa College of Law observed the eviction docket multiple times for a roughly two-month period from mid-January through March 13, 2020, the last day that the court was open. This report summarizes some key areas of concern based on student observations. It also includes a data analysis of the eviction docket for the month of January, identifying trends and additional areas of concern.

¹ Princeton University, Eviction Lab, available at <https://evictionlab.org/rankings/#/evictions?r=United%20States&a=0&d=evictionRate&lang=en>

² Eviction Lab, available at <https://evictionlab.org/covid-policy-scorecard/>

³ Open Justice Oklahoma Court Tracker, available at <https://openjustice.okpolicy.org/blog/oklahoma-court-tracker/>

II. Observations: Justice Barriers in the FED

The Forcible Entry and Detainer (FED) or eviction docket is held at 2:00 pm every weekday except Wednesday.⁴ The FED docket does not hear cases on the record. The online docket, available on the Oklahoma State Courts Network (OSCN), shows case dispositions for those cases where the tenant, landlord, or landlord representative was present. The absence of a court reporter serves to obscure the legal process, making it difficult to discern precisely what happens in an eviction case and disadvantaging parties who wish to appeal. The descriptions below combine student observations with empirical data taken from the court docket published on OSCN.

a. Court Attendance

“I suppose the calculus is to go to court and lose or skip court and buy themselves a few more hours to pack up their belongings.”

TWC Student

In January, approximately 468 out of 1395 tenants appeared in court. This means that 66% of tenants did not appear for their eviction proceedings. Although the TWC does not have specific data on why individuals chose not to attend, some possible explanations exist. The timing of the FED docket creates significant barriers to attendance, as it coincides both with regular work hours and with the time that parents pick up children from school or daycare. These challenges may be exacerbated by the relatively short time period between notice and the hearing date, which is generally ten days or less. Notice requirements, which can be satisfied by serving someone at least 15 years old in the house, or by posting notice to the door, may result in some individuals being unaware of their eviction hearing. Finally, student observations suggest that tenants largely do not understand the eviction process and students heard anecdotal reports of tenants being advised that they did not need to attend eviction court. Data from January also highlights the slim chances for tenants to prevail in eviction proceedings. The last two factors may lead some tenants to calculate that attending their

⁴ Hearing times are set to change as the FED docket resumes on June 1, 2020.

eviction hearing is not worth taking time away from other responsibilities such as work or childcare.

b. Accessing the Court

There is currently little information for tenants at the courthouse and what little information exists is not highly visible. Nor do tenants have anyone to approach for information. Tenants who arrive for their eviction proceedings often join a large crowd of individuals waiting to access a courtroom that cannot always accommodate the number of people on the docket.

In January, the docket size varied between a low of 6 cases to a high of 238 cases.

The average docket size was 87 cases. February numbers were similar, ranging from 4 to 213, with an average of 93 cases. Between January and the last day the court was in session, March 13, the average docket size was 79 cases.⁵ Individuals risk default judgments if they are not in the courtroom when their names are called, raising concerns over large docket sizes that force some individuals into the hallways.

“There are often very large numbers of people crowded into the courtroom. For a person that has never dealt with eviction proceedings before, I imagine coming to court, finding the proper courtroom, getting paperwork in order, and being ready to negotiate is very stressful.” *TWC Student*

c. Courtroom Processes

1. Appearances

Eviction proceedings begin by identifying the tenants and landlords or landlord representatives who are present. The court does not require landlords to be present as long as an attorney or representative is there on their behalf. The court does require tenants to be present, even if they have an attorney. In one instance where a tenant’s attorney was present without their client, the judge agreed to wait until the end of the day before issuing a default.⁶ Pro se tenants who arrive late often discover that a default

⁵ This average includes 6 days where the dockets had to be rescheduled after the court closure.

⁶ The TWC does not know the final disposition of this case and whether the tenant showed up.

judgment has already been issued against them. In one such instance, a tenant arrived approximately five minutes after court had started and discovered that a default had been issued. The tenant was instructed to go to the second floor to file a motion to vacate, with no additional explanation. In a similar case, the January 13 docket notes a case where a defendant appeared late and the court issued a default judgment for the landlord. According to information on OSCN, no motion to vacate was filed in either case. In one case, the TWC observed the judge rescind a default order because the landlord's attorney was still in the courtroom when the tenant appeared.

2. Evidentiary Requirements

Generally, once the judge finishes calling the docket, tenants and landlords or landlord representatives are sent into the hallway to begin negotiations to reach an agreement. Agreements are recorded as Judgments Under Advisement, which generally give the tenant additional time to pay money they owe and vacate the property. If an agreement is not reached, participants return to the court for a bench trial where landlords and tenants can present arguments and evidence. If the landlord or landlord representative is present and the tenant is not, the court issues a default judgment against the tenant.

In January 2020, approximately 43% of the 1,395 cases resulted in default judgments. This means that roughly 600 families lost their housing without a court hearing. Default judgments are issued largely on the basis of the tenant's non-appearance, with no additional evidentiary burden on the landlord. The January docket included cases where landlords received default judgments for petitions that failed to state a claim. Of the 34 cases where the landlord failed to state a claim, 14 resulted in default judgments, 8 resulted in a judgment for the plaintiff, and 11 were dismissed, with one pending.

As mentioned above, tenants receive little information about eviction proceedings and may be unfamiliar with evidentiary requirements. For example, one tenant who attempted to provide testimony from a roommate was informed that only individuals on the lease could testify. Additionally, without any information resources, tenants may be largely

unaware that they are required to print out evidence rather than presenting it directly from their phones.

The use of Judgments under Advisement creates an avenue for tenants to negotiate with their landlords to avoid an eviction judgment, but it also gives rise to additional evidentiary concerns. After participants are sent into the hallway, tenants may negotiate terms with the landlord or their representative. If the agreed upon conditions—generally a payment amount and move out date—are not met by the specified date, judgment for the landlord is granted. The TWC observed a case in which a pro bono attorney negotiated a Judgment Under Advisement for a tenant. The agreement set a payment date of February 24 and a move out date of March 3, with the Judgment Under Advisement remaining in effect until March 3. The court entered a default judgment on February 25th and the landlord filed an execution on February 26th. The pro bono attorney received no notice of this action, nor is there any indication that the tenant received any notice or had a chance to counter the landlord's claims. It is unclear what evidentiary burden the landlord had to meet, if any, in order to obtain a judgment before the termination date of the Judgment Under Advisement. Nor does it appear that the landlord was required to provide notice to the tenant.

3. Capacity to Sue and Invalid LLCs

Many landlords who lacked the capacity to sue received favorable judgments in January. In Oklahoma, domestic and foreign Limited Liability Companies (LLC) and Limited Partnerships must register and file an annual certificate with the Oklahoma Secretary of State's Office to remain in good standing.⁷ If an LLC is not in good standing, then it does not have the capacity to maintain a suit in an Oklahoma court.⁸ The data below represents cases brought on behalf of LLCs that were not in good standing at or near the time of the hearing, meaning they were filed by landlords who lacked the capacity to sue at the time they filed these evictions. An LLC's capacity to sue generally goes unchallenged during

⁷ Okla. Stat. tit. 18, § 2004, § 2055.2.

⁸ Okla. Stat. tit. 18, § 2055.2 (F).

eviction proceedings unless raised by a tenant's attorney, underscoring the importance of representation.

A review of the dockets between January 2 and March 30, 2020⁹ revealed that 14.8% of evictions filings (507 cases) were filed by landlords who lacked the capacity to sue because of invalid LLC status. Of these, 34% (174 cases) resulted in default judgments for the landlord. In approximately 89% of cases brought on behalf of invalid LLCs (402 out of 450)¹⁰, plaintiffs were represented by counsel. This suggests that landlord attorneys are either failing to verify whether their clients have the capacity to sue or are knowingly representing clients who lack the capacity to sue.

4. Confusion Around the Court Process

Despite a judicial explanation of the process at the start of proceedings, many tenants remained confused about the nature of the parties present, the process itself, and their rights. One of the greatest sources of bewilderment involved the hallway proceedings. Tenants who were sent into the hallway after the docket was called often did not understand what was required of them, whether they could leave, with whom they were negotiating, how to obtain legal assistance, and their right to request a trial.

“Defendants usually are at an information disadvantage when dealing with evictions. Landlords and their attorneys are repeat players who are more familiar with the process and the judge.” *TWC Student*

In at least two cases in January, tenants who were present when the docket was called subsequently had defaults issued against them, suggesting confusion around expectations once directed to the hallway. On one occasion, a couple approached a TWC student in the hallway and asked whether they were free to leave, again indicating a lack of understanding of the hallway proceedings.

⁹ Some cases were set down after March 16, when the court was closed.

¹⁰ Numbers do not total 507 because this excludes cases that were reset.

Pro bono attorneys from Legal Aid, Still She Rises, and the Tulsa County Bar Association are generally present to provide free legal assistance. Relatively few tenants take advantage of these attorneys, either because of confusion about what assistance they can provide or because they do not know how to access these attorneys. On the positive side, the judge informs tenants about the presence of pro bono attorneys and encourages tenants to speak with them. However, tenants are often directed to the hallway to negotiate with landlord attorneys or representatives while pro bono attorneys remain inside the courtroom waiting for their other cases to be called. Tenants who wish to consult with a pro bono attorney may be confused as to how to proceed at this point. Additionally, tenants may not be aware that they are negotiating with an attorney who represents the landlord's interest and not with a pro bono attorney. To the extent that the TWC observed hallway proceedings, they did not witness a landlord attorney explain to a tenant that they were representing the landlord's interest.

This lack of awareness, combined with a general lack of knowledge of the process, may contribute to the failure to seek pro bono legal assistance. The couple mentioned above indicated to the clinic student that they did not believe they had any reason to speak with a pro bono attorney because they owed money and were likely to lose. These tenants were unaware that pro bono attorneys could raise potential legal defenses or negotiate more favorable terms around their exit from the property.

Many tenants seemed uninformed about their right to request a trial rather than reach a potentially unfavorable negotiated settlement. Tenants were not given information on how to request a trial, including who to approach and when and where to do so. Tenants also received no information on how to appeal or vacate a judgment against them. In the event they did wish to appeal, they faced additional barriers because of the lack of a court record.

Tenant confusion around the process also led them to sign documents without understanding their full implications. After one tenant signed a document with a landlord's attorney, she expressed confusion about the fact that they were not going before the judge. In another instance, an attorney's assistant became visibly irritated

when a tenant requested copies of the paperwork she was about to sign. The fact that tenants are negotiating with the opposing party without their own legal representation increases the risk that tenants are signing documents that may negatively impact their rights without fully understanding the legal consequences of their actions.

Mediation is also available on a limited basis at the FED docket. It is unclear whether tenants can request mediation once at court. On the days that the TWC observed proceedings, the judge assigned mediation as the docket was being called; mediation was usually limited to one mediation per docket; and mediation was mostly assigned to cases where neither landlord nor tenant were represented.

The TWC observed landlords or their representatives requesting dismissals because the tenants had paid their rent by the day of the hearing. Roughly 27% of cases in January were dismissed. Of the 381 dismissed cases, landlords or their representatives voluntarily dismissed 24 of them. The rate of dismissals suggests there is a role for early settlement mediation that could ease pressure on the court, result in payments to landlords, and prevent tenants from having eviction filings appear on their records. The high filing rate and dismissals also suggest that some landlords may use eviction filings to intimidate tenants into paying rent and fees, particularly those landlords filing hundreds of evictions in a year. This reality is borne out by the fact that roughly a quarter of individuals in eviction court have faced more than one eviction.

“I witnessed several landlords asking for dismissals because the tenants had paid their rent by the time the court hearing rolled around. So these tenants will have eviction filings on their records now, even though they paid their rent.” *TWC Student*

5. Ethical Violations and Procedural Irregularities in the Hallway Negotiations

Tenant confusion around hallway procedures and court processes more generally creates a situation rife for abuse, exploitation, and possible legal ethics violations, particularly since hallway negotiations occur outside of any framework for monitoring or accountability. The TWC observed a number of potential concerns under the standards of

professional conduct¹¹: 1) unauthorized practice of law (Rule 5.3); 2) dealing with an unrepresented person (Rule 4.3); 3) communication with a person represented by counsel (Rule 4.2); 4) ex parte communications (Rule 3.5).

Many landlord attorneys work with assistants who are not licensed attorneys. Clinic interns observed these assistants negotiating with tenants. These negotiations included discussions of legal rights and processes and the signing of documents, some of which appeared to be legal in nature. Although the exact nature of these interactions was difficult to verify, they do raise concern about rule 5.3's prohibition of the unauthorized practice of law.

"I never heard a landlord's attorney explain to a tenant that their interests were adverse and the tenant should speak to a lawyer."

TWC Student

Moreover, it is unclear whether tenants understood that they were negotiating with an adverse party. Under rule 4.3, an attorney must ensure that an opposing party understands that the attorney does not represent them and has adverse interests. Clinic interns did not observe attorneys explaining their role during the hallway proceedings. Tenants understood that attorneys and their assistants were there to work out a deal, but they did not necessarily understand that these representatives were there to advance the landlord's interests. In some cases, landlord attorneys approached the judge's chambers without the presence of opposing counsel or the tenant. In addition to potential violations of rule 3.5's prohibition on ex parte communications, such actions may lead tenants to believe that the attorney was working on behalf of the court or was approaching the judge on the tenant's behalf. Confusion around the role of landlord attorneys and their representatives may lead tenants to sign documents that they think are resolving their case without fully understanding the legal implications.

In one case that the TWC observed, a tenant signed a document provided by an attorney. The attorney then told the tenant that she needed to contact the landlord to work out a

¹¹ 5 Oklahoma Rules of Professional Conduct, O.S. App'x 3-A.

settlement amount and move out date to potentially avoid execution of the eviction judgment. The attorney failed to clarify that the court had not yet issued a judgment. The tenant expressed confusion over the process, was worried about having an eviction on her record, and did not understand why they were not going before a judge. The attorney and her assistant replied that if they went before the judge, the negotiations (the terms of which remained unclear, since the tenant appeared to gain nothing substantive) would be void, she would lose her case, and she would still end up with an eviction on her record.

**“He’s trying all these fancy defenses.
Doesn’t he realize this is the FED docket?”**

Landlord attorney, overheard in the hallway outside the FED court

Rule 4.2 prohibits an attorney from knowingly communicating with a person who is represented without the other lawyer’s consent. In one instance, clinic interns observed negotiations between a landlord’s attorney and a pro bono attorney representing a tenant. When the pro bono attorney walked away to get some paperwork, the landlord attorney spoke with the tenant about the case.

d. Structural Conditions Giving Rise to Procedural Irregularities

Many of the issues identified above are the result of the size of the FED docket, which in turn is linked to the ease of initiating eviction proceedings and the limited evidentiary or appearance burdens on landlords. Judges are under great pressure to clear these large dockets, and the imbalance between landlord attorneys and pro se tenants exacerbates access to justice concerns. The pressures on the FED docket are so great that in one instance, after the judge was called to sit temporarily on the Mental Health Court, the court clerk ran that day’s docket. Pro se tenants received little information about the proceedings while landlord attorneys discussed their cases with the clerk. A subsequent search of the docket shows the issuance of

**“In general, a sad inverse to the glacial pace at which the parts of
government which provide a benefit operate. Unfortunately,
eviction court is the most efficient piece of government I have ever seen.”**

TWC Student

multiple default judgments and at least one judgment where the defendant was present on that day, raising due process concerns over the lack of a proper adjudicator.¹²

III. January Eviction Data

This section summarizes some of the key findings from the data analysis of the January FED docket. Complete data tables are included in the Appendix. The Clinic analyzed 1,395 cases. Although it is difficult to make definitive conclusions without additional research because of the small sample size of represented tenants, the TWC identified trends that raise access to justice concerns. Some of the most significant findings include:

- Among the possible outcomes, default judgments made up the highest proportion (43%).
- Roughly 66% of tenants did not attend their eviction hearings.
- Only 2 tenants received judgments in their favor.
- Landlords prevailed in over half of cases (55%), with an additional 18% still pending and 18.7% dismissed without prejudice, meaning that they can be refiled.
- Levels of representation were significantly out of balance, with 82% of landlords represented, compared to 3.5% of tenants. For those tenants who appeared in court, 10.6% had representation. Tenants facing represented landlords had representation 2.8% of the time overall. Calculating only for those tenants who appeared in court, this number was 8.6%.
- Tenant representation did not lead to outright legal victories or prevent evictions, but it did ameliorate outcomes by reducing eviction judgments and money judgments.
- Among tenants who appeared, those without representation were almost twice as likely to receive a judgment for eviction (79%) as those with representation (43%).
- Similarly, unrepresented tenants who appeared were more than twice as likely to have a money judgment against them (78%) than represented tenants who appeared (34%).

¹² 5 O.S. App'x 4, Rule 2.7; *see also Edwards v. Carter*, 29 P.2d 605, 607–08 (Okla. 1933) (citing *Ex parte State Bar Ass'n*, 8 So. 768, 769 (Ala. 1890)).

- Eviction proceedings were initiated against a tenant for an outstanding debt of \$39.
- The lowest money judgment was for \$48, the amount that led to an individual or family losing their home.
- Among tenants with representation, 72% received Judgments under Advisement, contrasted with Judgments under Advisements in 6.8% of cases overall, and 39.6% of cases where tenants were present in court. Judgments under Advisement resulted in subsequent dismissals in about one-third of cases.
- Money awarded to landlords in Judgments under Advisement were on average \$800 more for non-represented tenants than for those with representation—a significant amount for individuals living at the margins.
- Most evictions (97%) were for past due rent.
- Of the 34 filings that did not state a claim in the pleadings, 22 resulted in evictions.

These findings point to a significant power imbalance between landlords and tenants, an imbalance felt even more acutely by unrepresented tenants. Even for those tenants with representation, the role that attorneys can play is limited. Attorneys rarely prevented an eviction from occurring. At best, they were able to buy their clients more time, lower the amount the tenant paid, and prevent an eviction judgment from showing up on the tenant's record. The utility of the latter is limited, however, as eviction filings, even without an eviction, still show up on an individual's record and may negatively affect their ability to rent another property. The lack of on the record hearings creates additional access to justice barriers for tenants wishing to challenge these imbalances through appeal.

IV. Conclusion and Recommendations

“Overall, I saw very little justice this semester and it is discouraging.”
TWC Student

All of these factors point to the reality that, although significant access to justice issues are present in eviction court, Tulsa's eviction problem cannot be addressed by focusing on the courtroom alone. While changes to court processes can help, many of the factors leading to Tulsa's high eviction rate are also creating pressures on the court, giving rise to some of the

issues highlighted above. The level of demand on the FED docket makes it impossible to meet the competing pressures of fairness and efficiency. While more rigorous standards for eviction filings would alleviate some of this demand, non-judicial interventions are also essential. These include early settlement mediation, increased availability of low-income housing, greater regulation of landlords, and reforms to Oklahoma's landlord-tenant legislation.

Recommendations

- Increase evidentiary burdens on landlords:
 - Require proof of valid LLC status
 - Require a statement of the claim in “possession only” filings
 - Hold landlords to their burden of proof before granting default judgments
 - Verify that the landlord’s representative has the power of attorney before granting default judgments
- Expand targeted early interventions:
 - Require early settlement mediation before a hearing is set on the FED docket
 - Focus interventions on high volume evicting landlords who are responsible for a significant portion of the FED docket
 - Increase outreach to at-risk populations to improve awareness of rights and rental resources
- Additional recommendations:
 - Standardize appearance requirements for landlords and tenants
 - Expand available informational resources for tenants.
 - Establish audio recordings or an alternative mechanism to place FED proceedings on the record

Appendix: January Data

January Docket: 1,395 cases

Outcomes

Judgment Summary

Disposition	Number	%
Judgment for Eviction	763	54.6%
Judgment for Defendant	2	0.14%
Dismissal	381	27.3%
Pending	247	17.8%
Vacated	2	0.14%
Total	1395	

General Outcomes

Disposition	Number	%
Default	602	43.1%
Default + Judgment	6	0.31%
Dismissed (all)	381	27.3%
Judgment for Plaintiff	155	11.1%
Judgment for Defendant	2	0.14%
Pending	247	17.7%
Vacated	2	0.14%
Total	1395	

Outcomes Breakdown

Disposition	Number	%
Default	602	43.1%
Default + Judgment	6	0.43%
Dismissed w/o Prejudice	261	18.7%
Dismissed w/ Prejudice	17	1.2%
Dismissed by Court	42	3%
Dismissed-Voluntary Dismissal	24	1.7%
Dismissed-Released and Satisfied	39	2.7%
Judgment for Plaintiff	155	11.1%
Judgment for Defendant	2	0.14%
Pending	247	17.7%
Vacated	2	0.14%
Total	1395	

Appearance

Plaintiff Appearance

Appeared	Number	%
Yes	1378	98.7%
No	17	1.2%
Total	1395	

Defendant Appearance

Appeared	Number	%
Yes	239	17.1%
No	652	46.7%
Unknown	226	16.2%
N/A	278	19.9%
Total	1395	

Defendant Appearance and Outcome – Judgment Summary

	Appeared	%	Appeared Not	%	Unknown	%	N/A
Judgment for Eviction	166	69.4%	597	91.5%	0	0%	0
Judgment for Defendant	2	0.83%	0	0%	0	0%	0
Dismissal	48	20%	55	8.4%	0	0%	278
Pending	21	8.7%	0	0%	226	100%	0
Vacated	2	0.83%	0	0%	0	0%	0
Total	239		652		226		278

Defendant Appearance and Outcome

	Appeared	%	Appeared Not	%	Unknown	%	N/A
Default	5	2%	597	91.5%	0	0%	0
Default + Judgment	6	2.5%	0	0%	0	0%	0
Dismissed w/o Prejudice	6	2.5%	4	0.61%	0	0%	251
Dismissed w/ Prejudice	0	0%	0	0%	0	0%	17
Dismissed by Court	22	9.2%	16	2.4%	0	0%	1
Dismissed-Voluntary Dismissal	12	5%	4	0.61%	0	0%	8
Dismissed-Released and Satisfied	8	3.3%	31	4.7%	0	0%	1
Judgment for Plaintiff	155	64.8%	0	0%	0	0%	0
Judgment for Defendant	2	0.83%	0	0%	0	0%	0
Pending	21	8.7%	0	0%	226	100%	0
Vacated	2	0.83%	0	0%	0	0%	0
Total	239		652		226		278

Representation

Plaintiff Representation

Represented	Number	%
Yes	1146	82.1%
No	249	17.8%
Total	1395	

Defendant Representation

Represented	Number	%
Yes	50	3.5%
No	184	13.1%
Unknown	234	16.7%
N/A	927	66.4%
Total	1395	

Defendant Representation (Excluding Cases Where the Defendant Did Not Appear)

Represented	Number	%
Yes	50	10.6%
No	184	39.3%
Unknown	234	50%
Total	468	

Plaintiff and Defendant Representation

Plaintiff Represented	Defendant Represented	%	Defendant Unrepresented	%	Unknown	%	N/A	%	Total	% Represented
Yes	33	66%	134	72.8%	214	91.4%	765	82.5%	1146	2.8%
No	17	34%	50	27.1%	20	8.5%	162	17.4%	249	6.8%
Total	50		184		234		927		1395	

Plaintiff and Defendant Representation (Excluding Cases Where Defendant Did Not Appear)

Plaintiff Represented	Defendant Represented	%	Defendant Unrepresented	%	Unknown	%	Total	% Represented
Yes	33	66%	134	72.8%	214	91.4%	381	8.6%
No	17	34%	50	27.1%	20	8.5%	87	19.5%
Total	50		184		234		468	

Plaintiff Representation and Outcome

	Represented	%	Unrepresented	%
Default	480	41.8%	122	48.9%
Default + Judgment	4	0.34%	2	0.8%
Dismissed w/o Prejudice	252	21.9%	9	3.6%
Dismissed w/ Prejudice	1	0.08%	16	6.4%
Dismissed by Court	7	0.61%	32	12.8%
Dismissed-Voluntary Dismissal	18	1.5%	6	2.4%
Dismissed-Released and Satisfied	39	3.4%	1	0.4%
Judgment for Plaintiff	121	10.5%	34	13.6%
Judgment for Defendant	0	0%	2	0.8%
Pending	223	19.4%	24	9.6%
Vacated	1	0.08%	1	0.4%
Total	1146		249	

Defendant Representation and Outcome

	Represented	%	Unrepresented	%	Unknown	%	N/A	%
Default	1	2%	3	1.6%	0	0%	598	64.3%
Default + Judgment	1	2%	5	2.7%	0	0%	0	0%
Dismissed w/o Prejudice	5	10%	3	1.6%	0	0%	253	27.2%
Dismissed w/ Prejudice	0	0%	0	0%	0	0%	17	1.8%
Dismissed by Court	4	8%	14	7.6%	3	1.2%	18	1.9%
Dismissed-Voluntary Dismissal	8	16%	3	1.6%	2	0.85%	11	1.1%
Dismissed-Released and Satisfied	2	4%	6	3.2%	0	0%	32	3.4%
Judgment for Plaintiff	18	36%	137	75.2%	0	0%	0	0%
Judgment for Defendant	1	2%	1	0.54%	0	0%	0	0%
Pending	8	16%	10	5.4%	229	97.8%	0	0%
Vacated	2	4%	0	0%	0	0%	0	0%
Total	50		182		234		929	

Appearance and Representation

Plaintiff Appearance and Representation

	Appeared	%	Appeared Not	%
Represented	1146	83.1%	0	0%
Unrepresented	232	16.8%	17	100%
Total	1378		17	

Defendant Appearance and Representation

	Appeared	%
Represented	47	19.6%
Unrepresented	184	76.9%
Unknown	8	3.3%
Total	239	

Defendant Appearance, Representation & Outcome – Judgment Summary

	Appeared + Represented	%	Appeared + Not Represented	%
Judgment for Eviction	20	42.5%	146	79.3%
Judgment for Defendant	1	2.1%	1	0.54%
Dismissal	16	34%	27	14.6%
Pending	8	17%	10	5.4%
Vacated	2	4.2%	0	0%
Total	47		184	

Defendant Appearance, Representation & Outcome

	Appeared + Represented	%	Appeared + Not Represented	%
Default	1	2.1%	4	2.1%
Default + Judgment	1	2.1%	5	2.7%
Dismissed w/o Prejudice	3	6.3%	3	1.6%
Dismissed w/ Prejudice	0	0%	0	0%
Dismissed by Court	4	8.5%	15	8.1%
Dismissed-Voluntary Dismissal	7	14.8%	3	1.6%
Dismissed-Released and Satisfied	2	4.2%	6	3.2%
Judgment for Plaintiff	18	38.2%	137	74.4%
Judgment for Defendant	1	2.1%	1	0.54%
Pending	8	17%	10	5.4%
Vacated	2	4.2%	0	0%
Total	47		184	

Reasons for Evictions

Reasons for evictions – Generally

Reason	Number	%
Past-due rent	1357	97.2%
For cause	4	0.28%
No stated claim in pleadings	34	2.4%
Total	1395	

Past-Due Rent – Dispositions

Disposition	Number	%
Default	586	43.1%
Default + Judgment	6	0.44%
Dismissed w/o Prejudice	259	19%
Dismissed w/ Prejudice	17	1.2%
Dismissed by Court	30	2.2%
Dismissed-Voluntary Dismissal	24	1.7%
Dismissed-Released and Satisfied	40	2.9%
Judgment for Plaintiff	146	10.7%
Judgment for Defendant	2	0.14%
Pending	245	18%
Vacated	2	0.14%
Total	1357	

For Cause – Dispositions

Disposition	Number	%
Default	2	50%
Default + Judgment	0	0%
Dismissed w/o Prejudice	0	0%
Dismissed w/ Prejudice	0	0%
Dismissed by Court	0	26.4%
Dismissed-Voluntary Dismissal	0	0%
Dismissed-Released and Satisfied	0	0%
Judgment for Plaintiff	1	25%
Judgment for Defendant	0	0%
Pending	1	25%
Vacated	0	0%
Total	4	

No Stated Claim – Dispositions

Disposition	Number	%
Default	14	41.1%
Default + Judgment	0	0%
Dismissed w/o Prejudice	2	5.8%
Dismissed w/ Prejudice	0	0%
Dismissed by Court	9	26.4%
Dismissed-Voluntary Dismissal	0	0%
Dismissed-Released and Satisfied	0	0%
Judgment for Plaintiff	8	23.5%
Judgment for Defendant	0	0%
Pending	1	2.9%
Vacated	0	0%
Total	34	

Judgments Under Advisement

Judgments Under Advisement-General

	Number	%
Judgment Under Advisement	96	6.8%
No Judgment Under Advisement	1074	76.9%
Unknown	225	16.1%
Total	1395	

Judgments Under Advisement (Defendant Present)

	Number	%
Judgment Under Advisement	96	39.6%
No Judgment Under Advisement	144	59.5%
Unknown	2	0.82%
Total	242	

Judgments Under Advisement – Disposition Judgment Summary

Disposition	Judgment Under Advisement	%	No Judgment Under Advisement	%	Unknown
Judgment for Eviction	42	47.7%	721	67.1%	0
Judgment for Defendant	0	0%	2	0.18%	0
Dismissal	31	32.2%	350	32.5%	0
Pending	22	22.9%	0	0%	225
Vacated	1	1%	1	0.09%	0
Total	96		1074		225

Judgments Under Advisement – Disposition Break Down

Disposition	Judgment Under Advisement	%	No Judgment Under Advisement	%	Unknown
Default	2	2%	600	55.8%	0
Default + Judgment	1	1%	5	0.46%	0
Dismissed w/o Prejudice	1	1%	260	24.2%	0
Dismissed w/ Prejudice	0	0%	17	1.5%	0
Dismissed by Court	20	20.8%	19	1.7%	0
Dismissed-Voluntary Dismissal	9	9.3%	15	1.4%	0
Dismissed-Released and Satisfied	1	1%	39	3.6%	0
Judgment for Plaintiff	39	40.6%	116	10.8%	0
Judgment for Defendant	0	0%	2	0.18%	0
Pending	22	23%	0	0%	225
Vacated	1	1%	1	0.09%	0
Total	96		1074		225

Judgments Under Advisement – Representation Plaintiff and Defendant

	Defendant Represented	%	Defendant Unrepresented	%	Unknown	%	Total	%
Plaintiff Represented	25	69.4%	31	63.2%	6	54.5%	62	64.5%
Plaintiff Unrepresented	11	30.5%	18	36.7%	5	54.4%	34	35.4%
Total	36		49		11		96	

Judgments Under Advisement – By Defendant Representation

Defendant Representation	Number	%
Represented	36	37.5%
Unrepresented	49	51%
Unknown	11	11.4%
Total	96	

Judgments Under Advisement – Where Defendant Was Represented

Judgment Under Advisement	Number	%
Yes	36	72%
No	13	26%
Unknown	1	2%
Total	50	

Judgments Under Advisement – Representation & Outcome

Disposition	Defendant Represented	%	Defendant Unrepresented	%	Unknown	%
Default	1	2.7%	1	2%	0	0%
Default + Judgment	1	2.7%	0	0%	0	0%
Dismissed w/o Prejudice	1	2.7%	0	0%	0	0%
Dismissed w/ Prejudice	0	0%	0	0%	0	0%
Dismissed by Court	4	11.1%	13	26.5%	3	27.2%
Dismissed-Voluntary Dismissal	5	13.8%	2	4%	2	18.1%
Dismissed-Released and Satisfied	1	2.7%	0	0%	0	0%
Judgment for Plaintiff	15	41.6%	24	48.9%	0	0%
Judgment for Defendant	0	0%	0	0%	0	0%
Pending	7	19.4%	9	18.3%	6	54.5%
Vacated	1	2.7%	0	0%	0	0%
Total	36		49		11	

Judgments Under Advisement – Money Awarded

Defendant Representation	Number	Total	Range	Mean	Median
Defendant Represented	13	\$14,166.76	\$197 to \$5,706.12	\$1,089.75	\$725
Defendant Unrepresented	22	\$41,678.18	\$108 to \$8385	\$1,894.46	\$1,630.25
Total	35				

Money Judgments

By Disposition: excludes cases later dismissed or vacated

Disposition	Awarded \$	%	Not Awarded \$	%	Total	% Awarded \$
Default	217	60.7%	369	96.8%	586	37%
Default + Judgment	5	1.4%	1	0.26%	6	83.3%
Judgment for Plaintiff	135	37.8%	11	2.8%	146	92.4%
Total	357		381		738	48.3%

By Disposition

Disposition	Awarded \$	%	Not Awarded \$	%	Total	% Awarded \$
Default	217	56.8%	369	34.7%	586	37%
Default + Judgment	5	1.3%	1	0.1%	6	83.3%
Dismissed w/o Prejudice	2	0.52%	257	26.3%	259	0.77%
Dismissed w/ Prejudice	0	0%	17	1.7%	17	0%
Dismissed by Court	1	0.26%	29	2.9%	30	3.3%
Dismissed-Voluntary Dismissal	2	0.52%	22	2.2%	24	8.3%
Dismissed-Released and Satisfied	20	5.2%	20	2%	40	50%
Judgment for Plaintiff	135	37.8%	11	1.1%	146	92.4%
Judgment for Defendant	0	0%	2	0.2%	2	0%
Pending	0	0%	245	25.1%	245	0%
Vacated	0	0%	2	0.2%	2	0%
Total	382		975		1357	

Amount of Money Landlords Claimed

Total	\$1,336,396.83
Range	\$39.00 to \$9,600
Mean	\$984.82
Median	\$1,037

Amount of Money Awarded to Landlords: excludes cases later dismissed or vacated

Total	\$380,260.26
Range	\$48.36 to \$8,670
Mean	\$1,065.15
Median	\$834.00

Money Judgments by Disposition: excludes cases later dismissed or vacated

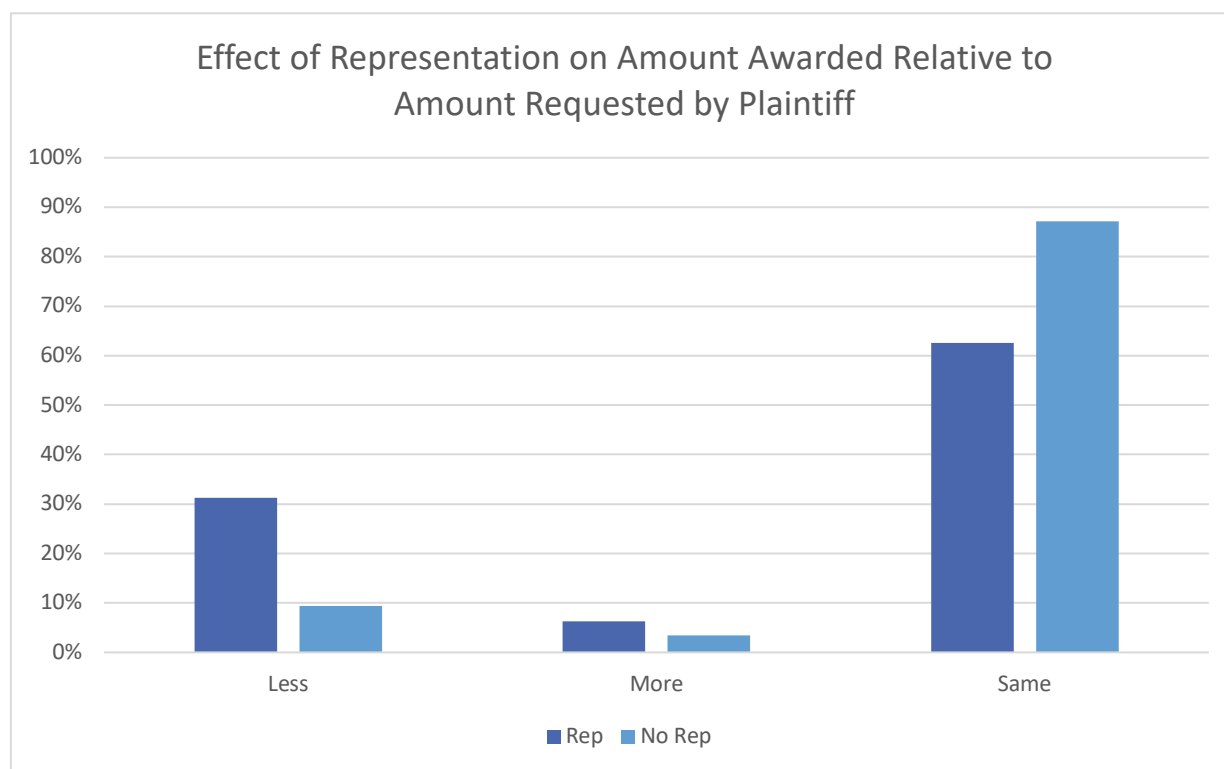
Disposition	Number	Total	Range	Mean	Median
Default	217	\$223,321.35	\$65.00 to \$4,680	\$1,029.13	\$840.98
Default + Judgment	5	\$13,477.30	\$225 to \$8,670	\$2,695.46	\$1,603
Judgment for Plaintiff	135	\$143,461.61	\$48.36 to \$8,385	\$1,062.68	\$805.00
Total	357				

Money Judgments & Representation – Amounts Awarded

Defendant Representation	Number	Total	Range	Mean	Median
Defendant Represented	16	\$16,225.99	\$183 to \$5,706.12	\$1,014.12	\$725
Defendant Unrepresented	136	\$154,674.47	\$48.36 to \$8670	\$1,137.31	\$845.50
Total	152				
Total	47			174	

Money Judgments & Representation (excludes defendants who did not appear)

	Defendant Represented	%	Defendant Not Represented	%
Money Awarded	16	34%	136	78.1%
Money Not Awarded	31	65.9%	38	21.8%



Execution

Execution Generally (all cases)

	Number	%
Executed	550	39.4%
Not Executed	272	19.4%
N/A	573	41%
Total	1395	

Execution Total

	Number	%
Executed	550	66.9%
Not Executed	272	33%
Total	822	

Execution Generally

(excludes cases that were dismissed or vacated)

	Number	%
Executed	511	66.9%
Not Executed	252	33%
Total	763	

Execution – Who Executed

	Number	%
Plaintiff Only	412	74.9%
Sheriff	138	25%
Total	550	

Execution by Disposition

Disposition	Eviction Executed	%	Eviction Not Executed	%	N/A	%
Default	402	73%	200	73.5%	0	0%
Default + Judgment	5	0.9%	1	0.36%	0	0%
Dismissed w/o Prejudice	1	0.18%	1	0.36%	259	45.2%
Dismissed w/ Prejudice	0	0%	0	0%	17	2.9%
Dismissed by Court	0	0%	14	5.1%	25	4.3%
Dismissed-Voluntary Dismissal	0	0%	1	0.36%	23	4%
Dismissed-Released and Satisfied	37	6.7%	3	1.1%	0	0%
Judgment for Plaintiff	104	18.9%	51	18.7%	0	0%
Judgment for Defendant	0	0%	0	0%	2	0.34%
Pending	0	0%	0	0%	247	43.1%
Vacated	1	0.18%	1	0.36%	0	0%
Total	550		272		573	

Execution & Representation (where defendant appeared)

	Defendant Represented	%	Defendant Unrepresented	%	Unknown	%
Executed	17	36.1%	101	55.8%	0	0%
Not Executed	9	19.1%	57	41.4%	2	25%
N/A	21	44.6%	23	12.7%	6	75%
Total	47		181		8	

Execution and Appearance

	Defendant Appeared	%	Defendant Did Not Appear	%	Unknown	%	N/A	%
Executed	121	50.6%	427	65.4%	0	0%	2	0.71%
Not Executed	68	28.4%	204	31.2%	0	0%	0	0%
N/A	50	20.9%	21	3.2%	226	100%	276	99.2%
Total	239		652		226		278	

Execution & Judgments Under Advisement (where eviction granted)

	Number	%
Executed	32	76.1%
Not Executed	10	23.8%
Total	42	