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Confronting the Heartbreak and Injustice of Eviction

Matthew Desmond. *Evicted: Poverty and Profit in the American City* (New York: Crown, 2016). 418pp. \$17.03 (hardcover), ISBN: 9780553447439.

If you ask a social scientist to name the books that have most influenced her passion for her work, at least one ethnography is likely to appear on the list. Similarly, if you ask a policy advocate about the books that influenced her career path, an ethnography is likely to turn up. It may not always be a purely scholarly ethnography; rather, it may be the work of a deep-diving journalist, such as Alex Kotlowitz or Barbara Ehrenreich. Whether by scholars or by journalists, ethnographies have a power that other works of social science or journalism do not. They have the power to move us, to create a fundamental empathy with their subjects. They also have a critical additional power, the power to unite a broad spectrum of readers (from social scientists to politicians to lay readers of all stripes), creating a common touchstone that can help spur or revive a political or social movement and result in policy change.

Most ethnographies—even good ones—do not achieve such results. They may reach a segment of a policy network or appeal to a subfield of an academic discipline. Yet some books do reach a greater height and breadth. They not only become required reading of academics in a field but are also widely read by congressional staff, journalists, and even the general public. Some even make the New York Times Best Sellers list. Such a book is Matthew Desmond's *Evicted: Poverty and Profit in the American City*. Desmond, a sociologist at Harvard and a recipient of a MacArthur Foundation genius grant, has written a remarkable book. It is remarkable not just for its scholarship, which is excellent, but especially for its impact, which extends far beyond the silo of urban sociology.

One key area of potential—even likely—impact is on the world of housing policy. The book's contribution here is not that it offers new policy alternatives; its key recommendations have been proposed before. Rather, it offers its recommendations in a much more both moving and, from a social science perspective, utterly convincing. The emotionally moving nature of the work may be its more important aspect. Housing policy, like so many arenas, is one where persistent empirical evidence often seems to have little influence in the face of powerful, often ideological counter narratives. What is needed, more than evidence, are mechanisms to build political will. *Evicted* has the potential to be such a mechanism. It is certainly too early to hope that the book will be to housing policy what Carson's *Silent Spring* was to environmental policy or what Harrington's *The Other America* was to antipoverty policy. However, even if the book does not cause a quantum change in housing policy in the United States, it might still prove to be a critical influence in the way that William Wilson's *The Truly Disadvantaged* influenced thinking and action around concentrated poverty.

Evicted stems from Desmond's ethnographic work in Milwaukee in the late 2000s, during which he lived in two neighborhoods in the city for a period of about 18 months. One setting was a mobile home park in a lower-income white neighborhood on the south side of the city, and the

other was a high-poverty, predominantly African-American neighborhood on the city's north side. Desmond followed a set of individuals and families—both tenants and landlords—within these two settings. He lived among his subjects in the two locations, became friends with some of them, shadowed some of them, worked with others, and witnessed their struggles and decisions up close.

Desmond's work sets itself apart from most urban ethnographies in two fundamental ways. First, it is complemented by quantitative survey research that Desmond has conducted on housing poverty and eviction in Milwaukee. While the book itself is light on the details of these analyses (mostly for the good), he cites key findings from such work and provides ample references in the endnotes. Second, Desmond looks at both sides of the poverty relationship and not simply at the poor themselves. In this particular case, it is the two key parties to the rental transaction—tenants and landlords. In fact, he actually shadows the landlords as the base for his work—the owner and on-site managers of the mobile home park in one setting, and a female landlord in the other. Very limited research of any kind has looked at the experiences of inner-city landlords (e.g., Immergluck and Law 2014), and the book makes a contribution on both sides of the landlord-tenant equation. Moreover, Desmond's shadowing of the landlords makes his work less susceptible to criticisms of anti-landlord bias in his research. He understands the constraints and motivations of the landlords. He recognizes the challenges of dealing with tenants who destroy property or engage in illegal or illicit behavior. He does not dismiss the profit motive as inherently illegitimate. At the same time, he recognizes the often exploitive nature of renting to tenants who have little to no alternatives, who would have difficulty finding shelter anywhere else, and for whom eviction will mean even greater difficulty finding housing, holding a job, or just getting by.

Desmond looks at a side of the housing market that a great deal of housing research over-aggregates—essentially pooling all lower-income renters together, thereby missing the worst features of the toughest part of the rental market. He examines conditions in what is sometimes called the “hardest to house” part of the market, where tenants often have previous evictions, unstable and inadequate incomes, drug and other criminal convictions, and poor credit records, but also are sometimes simply very poor. In doing so, he uncovers an entire world of substandard housing—a segment of the market that was the norm for low- and moderate-income households up until the 1970s and 1980s but has become a smaller, but still critical and significant, component of the housing market. The apartments and mobile homes in the book are often not fully functional. There is almost always a critical problem with plumbing, heat, basic security, or some other facet of the unit. Landlords are slow to respond to tenant complaints and often do not have to because the tenant really has no alternative. Landlord-tenant law in Milwaukee—as in most U.S. cities—heavily favors the landlord. Moreover, as Desmond vividly shows, when matters do go to court, the deck is heavily stacked against these tenants. They rarely have a lawyer, but the landlords almost always do. Even before a soured landlord-tenant situation goes to court, landlords in this segment of the market have the power of “soft eviction,” in which the mere threat of an eviction proves a powerful and

exploitative tool to coerce tenant behavior or to ignore tenant demands for decent housing conditions.

The greatest strength of the book is the powerful, sometimes tear-evoking stories of families and individuals who are often the victims of bad luck, but also of unforgiving and unyielding landlords. When these stories are at their most powerful, the book is reminiscent of Kotlowitz's *There Are No Children Here*, perhaps the gold standard of intense, moving, deep dive urban nonfiction. At the same time, Desmond calls on his considerable survey research, also based in Milwaukee, to add generalizable meat to the book, allowing it to appeal not just to the lay reader but also to the policy wonk.

Fortunately, Desmond does not shy away from getting his hands dirty by making major policy recommendations. His key recommendations are threefold: (1) to make the existing Housing Choice Voucher program a universal entitlement program; (2) to create a federal source-of-income protection ordinance that will require landlords to accept Housing Choice Vouchers; and (3) to create a federal program to provide universal legal assistance for low-income households in the eviction process. These policy proposals have generally been proposed before. However, their prospects have always been dim. Therefore, the book's principal policy impact could be to change the prospects for such major policy changes by sowing a new public consciousness about worst-case housing needs and the huge imbalances in the legal system when it comes to landlord-tenant relationships. The book could generate the political will for such policies. I will address each of these recommendations—which I am in agreement with—one by one, and then also discuss some additional, sometimes more incremental, policy measures that could contribute to addressing the epidemic of evictions and the serious shortage of decent and affordable housing in the United States.

Desmond's first recommendation is to universalize the Housing Choice Voucher program (i.e., to provide vouchers to all low-income households who qualify for them). Currently, vouchers are awarded through waiting lists, and on the order of only one in four households who qualifies for a voucher receives one. (Vouchers primarily serve those earning 30 percent of the metropolitan area median income or below.) This is a recommendation that has been made before (e.g., Quigley 2007). In general, the voucher program is a relatively cost-effective approach to providing affordable housing. It relies on the existing supply of rental housing, although arguably a quadrupling of the number of vouchers could spur the development of new supply aimed specifically at serving vouchered households. One issue with vouchers is that they are relatively concentrated in lower-income neighborhoods. This is due to a number of reasons, including the refusal of many landlords, especially those in higher-income neighborhoods, to accept vouchers. Desmond's second recommendation, which is to make this form of discrimination illegal by enacting a federal "source-of-income" protection law (many such laws already exist at the state and local level) would address part of this problem.

However, the current mechanics of the voucher program in most places creates another problem and contributes to the spatial segregation of vouchers. The program works by

establishing a fair market rent (FMR). Tenants then pay no more than 30 percent of their income toward rent, with the difference between that amount and the FMR made up for by a payment to the landlord from the housing authority issuing the voucher. If the FMR is set on a citywide or metropolitan basis, as is usually the case, the landlords in neighborhoods with higher local rents will need to accept less for their apartment or house than they might get without accepting the voucher. In some localities, especially those involved in HUD's Moving to Work program, the FMRs can be set at a smaller geographic basis, which reduces this problem. In these places, FMRs for higher-rent neighborhoods are adjusted upward, and the FMRs for lower-rent neighborhoods are adjusted downward. Without wider adoption of such small-area FMRs, even with a federal source-of-income protection ordinance, a massive increase in vouchers is likely to be funneled into the lower-rent segments of the housing market, which translates into continuing spatial segregation of vouchers. And with a fourfold increase in vouchers, some neighborhoods could see a very large upsurge in vouchers, conceivably to the extent that vouchered units would dominate the rental market in some neighborhoods. We want housing subsidies to be not too spatially concentrated for a variety of social and economic reasons.

The book's second key proposal, a federal source-of income antidiscrimination law, is an important one. As described above, such a law would work hand-in-hand with the increase in vouchers to assure that enough landlords would participate in the voucher program and that the program would not be overly concentrated in higher-poverty neighborhoods. Besides the need for a wider small-area FMR policy, the key issue here is political feasibility. Given the ideological resistance to federal involvement in local housing and land use dynamics and regulation, passing such a federal law might be even more daunting a challenge than quadrupling the size of the voucher program. This is not to suggest that the policy is misguided; rather, it is sorely needed. A second-best alternative, however, is to increase the number of such policies at the state level or, if need be, at the local level.

Desmond's last key policy recommendation is a massive increase in legal assistance for tenants involved in landlord-tenant disputes, particularly regarding eviction. The bulk of eviction defendants have no legal representation. This is not just unfair in its own right; it exacerbates the asymmetric power in the landlord-tenant relationship, increasing the ability of landlords to exploit vulnerable tenants.

This is not the place to examine the myriad of additional policy options that could contribute to lessening the hardship of very low-income renters. I will just mention a few, some of which are closely related to Desmond's recommendations. First, given the challenge of quadrupling the size of the federal voucher program, complementary efforts could be made to create or expand state-level housing voucher programs. Very few states have such programs and, where they do, the programs are often highly targeted to particular populations or are not well funded. Vouchers are the most cost-effective solution for providing safe and decent rental housing for low income families and individuals. Not only is housing provided, but corollary benefits of

employment stability, school stability, and health benefits have been associated with vouchers, so fiscal arguments can be made for such programs at the state level. Increasing housing supply directly remains a key need, especially in large cities. The number of cost burdened households, meaning those paying more than 30 percent of their income for rent, has been rising at a steep pace in recent years (Joint Center for Housing Studies 2015). Some cities are seeing their supply of low-cost rental units decline at a pace exceeding 4 percent annually (Immergluck, Carpenter, and Lueders 2016). One approach to increasing the affordable housing supply is to create local and state subsidy pools that can be deployed to provide gap financing to affordable housing development projects. Many state and local affordable housing trust funds already exist. Unfortunately, most of these are poorly funded and others are frequently raided for other purposes.

State and local governments must do more to increase sources of funding for such programs and protect them. Real estate transfer taxes, taxes on luxury rentals and home purchases, and hotel taxes are some potential sources. Beyond housing trust funds, tax increment financing or partial tax abatement programs can be used to support affordable housing. States and cities can also help provide legal assistance to lower-income renters. However, in addition to legal assistance, states can strengthen their tenant protection laws to level the playing field more between landlords and tenants. In a recent study of landlord–tenant law across 31 developed countries, researchers at the OECD ranked the United States dead last (Andrews, Sánchez, and Johansson 2011). Of course, such laws vary across states and localities, and some places are more tenant-friendly than others, but overall, the United States is not a great place to be a low-income renter from a legal perspective. Affluent renters have little to fear as luxury apartment owners fiercely compete for their business, but modest income households are in a much more vulnerable position.

Few works of social science come along that have the potential to be significant game-changers in a policy arena. To do so, a book must not just offer an original set of new empirical evidence on a topic, it must also have the power to galvanize a broad spectrum of readers to engage more vigorously in policy debate and action. *Evicted* has this potential. While I recommend the book as a critical, even essential, text in housing policy courses, I more heartily recommend that you put it on your list for the neighborhood book club. You may get a few moans and groans with such a suggestion, but the book is a great and accessible read, and it will pull at the hearts and minds of most readers. It is ideal for both the classroom and the living room.

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