

Chicago Evictions Methodology

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A. Releases

Our intention is to add new data over time. With each addition, a new release will be created. Releases are numbered and dated.

This is the methodology for Release 1, May 16, 2019.

This release may be cited as *Chicago Evictions*. Lawyers' Committee for Better Housing. Release 1, 16 May 2019, <https://eviction.lcbh.org/>

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B. Eviction Data

B. 1. Introduction

LCBH reviewed nearly 300,000 eviction court records on cases filed during the calendar years of 2010-2017 with the Circuit Court of Cook County. The case data are a compilation of data from the Circuit Court of Cook County, the Cook County Sheriff's Office, Record Information Services, Inc., and cases handled by LCBH (about 1% of 1st Municipal District cases). Cases were reviewed throughout 2017-2018 and results were recorded at the time of the review. The 1st Municipal District Court sequentially numbers eviction cases and reasonable estimations of additional sealed eviction cases were made where no other data were available. Eviction cases filed with the 2nd-6th Municipal District Courts are not numbered in the same manner, no estimates were made, and only data for known eviction cases were analyzed.

B.2. Completed Cases

Of the 290,768 cases reviewed, 8.7% were sealed and 0.9% had unclear results. The remaining 90.4% are unsealed completed cases with clear results and are referred throughout as "completed" cases.

	Total Cases Filed	Sealed Cases	Cases with Unclear Results	Completed Cases
Chicago	195,104	16,848	1,784	176,472
Suburban Cook County	91,197	7,329	882	82,986
Unknown/Unclear Address	4,467	1,127	82	3,258
Total Cases Reviewed	290,768	25,304	2,748	262,716

Note: included in Cases with Unclear Results are 87 cases still pending as of 12/31/2018.

B.3. Chicago Residential Eviction Cases

Defendant names were used to discern residential and non-residential cases. Of the 195,104 Chicago cases filed, 96.2% were determined to be residential. This report only includes Chicago residential cases, and except for number and rate of eviction filings, only completed cases are used in calculations. Of the 187,731 Chicago residential eviction cases, 9.0% were sealed and 0.8% had unclear results. The remaining 90.2% are unsealed completed cases with clear results and are referred throughout as "completed" cases.

	Total Cases Filed	Sealed Cases	Cases with Unclear Results	Completed Cases
Residential	187,731	16,836	1,579	169,316
Non Residential	7,373	12	205	7,156
Total Chicago Cases Reviewed	195,104	16,848	1,784	17,6472

B.4. Sealed Cases

Current Illinois law allows for the sealing of foreclosure-related eviction cases, and presumably a large portion of cases were sealed for that reason. The law also allows cases to be sealed if they are sufficiently without a basis in fact or law. The 2014 uptick in sealed cases is due in large part to a general order outlining procedures to ensure that all new post-foreclosure eviction filings in the First Municipal District of Cook County be identified as foreclosure-related and sealed at the beginning of the case.

As noted, except for number and rate of eviction filings, this report does not include sealed cases in calculations.

B.5. Dating Cases

Cases are aggregated by the year in which they are filed, regardless of when the case was disposed.

B.6. Serial Cases

Serial cases are multiple cases with the same tenant at the same address. In our initial reviews, we assumed these were either different matters or an initial dismissal that required a re-filing to continue. When Mathew Desmond released Eviction Lab in the Spring of 2018, he noted serial cases as multiple cases ending in eviction orders with the same tenant at the same address. There was concern about how to count these, as obviously the tenant hadn't been evicted multiple times. The Eviction Lab chose to exclude all but the last one from their reporting on evictions (though they are included in their reporting on eviction filings). This made us revisit our assumptions. However, because names are recorded with various formats and spellings we have not captured them all. Otherwise, we don't have much to report regarding serial cases at this time. We know it's an issue, we don't think it's a large number of cases, but we are researching it and hope to discuss it in a future release.

B.7. Condominiums

If a condominium owner fails to pay assessments, Illinois eviction law allows condominium associations sue for a money judgment and possession of the owner's unit. The law only allows the association to take possession of the unit. The owner will still own the unit. Many condominiums are rented by their owners to tenants. Some evictions by condominium association involve these owner's tenants. Additionally, condominium owners may evict their tenants for any of the normal reasons allowed in the Eviction Act. We currently do not know which condominium evictions involve only the owner and not a renting tenant, and all condominium evictions are included with this release.

B.8. Representation

With regards to representation, cases were counted as having representation based on the presence of an attorney associated with a party (landlord or tenant). Representation is inclusive of all levels from one-day appearances to full start-to-finish cases. Attorneys, who may have provided advice or brief services at a help desk or over the phone, etc., were not counted and only attorneys who are specifically listed in the court record as appearing in the case have been included.

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The landlord's attorney is often associated with the filing of the case, but not always. The first indication of the tenant's attorney (if any) is usually with an appearance filing: sometimes at the first court date, but sometimes post-judgment (seeking to undo an injustice). Illinois provides for limited scope representation allowing attorneys to appear in court for only a portion of a case. Sometimes attorneys and clients disagree and the attorney will withdraw from the case. Some attorneys offer limited flat-fee service packages with hourly billing after limits are exceeded. Some clients may choose not to receive services after the limits (which may or may not lead to a formal withdrawal). In all of these situations, the party (landlord or tenant) is counted as having been represented.

B.9. Tenant Attorney Type

For tenants, attorneys were classified as private or legal aid. Cases were classified as having legal aid representation if the case included a Certificate of Representation by Civil Legal Services Provider (aka CLSP) and/or if one of the legal aid organizations (or law schools) below was listed as an attorney for the tenant:

- Access Living
- Cabrini Green Legal Aid
- Center for Disability & Elder Law
- Chicago Legal Clinic
- Chicago Volunteer Legal Services
- Community Activism Law Alliance
- DePaul University
- John Marshall Law School
- Lawyers' Committee for Better Housing
- Legal Aid Society
- LAF (formerly the Legal Assistance Foundation of Metropolitan Chicago)
- Loyola University
- Northwestern University
- Uptown People's Law Center

There is a strong *pro bono* ethic in the legal field. Many firms provide free services directly to clients or in conjunction with a legal aid organization. The court record doesn't provide information on this. If a case shows a tenant has both a legal aid attorney and a private attorney, it's generally assumed the private attorney was providing services *pro bono* in conjunction with the legal aid attorney – these cases are counted as legal aid cases. If the same private attorney is listed in another case, but without a legal aid attorney, it is not counted as a legal aid case.

B.10. Outcomes

Court records don't provide a high-level summary disposition (or outcome) for a case. Case activities were analyzed to determine which indicated eviction orders, judgments, dismissals, vacates and reinstatements. An algorithm was created to calculate the final disposition (or outcome) for each case.

As these judicial outcomes don't indicate which tenants stayed or which had to move, outcomes are presented as "eviction order" throughout, and are inclusive of cases ending in an eviction order and/or a money Judgment against a tenant. The outcomes in the other cases were primarily dismissals, though a very small number of cases ended in judgment for tenant (0.3%). Most tenants receiving eviction orders moved out or were forced out by the sheriff. With the other cases, tenants were sometimes entitled to stay in their homes, but many cases were dismissed because tenants had moved out before their court date or before an agreed move-out date.

In addition to the final outcome for cases, two variations are also being reported with this release:

- **Default Eviction Order:** Cases ending in an eviction order (and/or money judgment against the tenant) that occurred because the tenant did not appear in court.
- **Eviction Order at First Time Up:** Cases ending in an eviction order (and/or money judgment against the tenant) that occurred at the tenant's first time in court. Most often, a tenant's first time up is the first scheduled court date. If service occurred after the first court date, the first time up is the first court date after service.

B.11. Other

- **Case Type:** There are two types of eviction cases: eviction only, where the landlord is suing only for return of the property, and eviction with back rent cases, where the landlord is suing for both return of the property and back rent. Eviction only cases indicate a non-rent related reason for eviction, such as a lease infraction or an end of lease hold-over, but some landlords who are owed back rent forgo their claim and choose to sue only for eviction. Online court records don't indicate the specific reason for the eviction filing, so we don't know how many evictions are filed for lease violations, hold-overs, or other reasons.
- **Back Rent Sought:** The amount indicated as the *ad damnum* in the eviction filing. In a court case, the *ad damnum* [Latin, to the damage or loss] is the amount claimed by the plaintiff that the defendant stands to lose. Illinois law allows back rent to be included in an eviction court case, and while only a claim and not proven, the *ad damnum* is generally considered to be an acceptable proxy for back rent owed.

C. Community Areas, Wards and Census Tracts

C.1. Introduction

Addresses associated with eviction cases were geocoded using Google's Geocoding API and results were used to determine Census Tract, Community Area and Ward.

C.2. Census Tracts

This release uses the 2010 census tract boundaries. Census tract is the smallest geographical boundary used in this release. For more information on census tracts see

<https://www.census.gov/geo/reference/webatlas/tracts.html>.

C.3. Chicago and Partial Census Tracts

There are a few Census Tracts that partially overlap Chicago. In our presentation of data at the census tract level, these are noted. A few are worth noting here:

- Tracts 7705.00, 7706.02, 7707.00, 7708.00 and 9800.00 partially overlap with Chicago at O'Hare International Airport. Census housing and population data for these tracts represent the portions of the tracts that are not within Chicago's boundaries. No Chicago residential evictions occurred in these tracts.
- Tracts 8104.00, 8214.02, and 8233.04 also partially overlap with Chicago and are often not included in calculations as the overlap is very small, these tracts are included in this release.

With regards to aggregation, with evictions, values provided for census tracts only include Chicago eviction cases, but with census data, values provided are for the full census tract.

C.4. Community Areas

Community areas in Chicago are those defined by the Social Science Research Committee at the University of Chicago. But for 2 notable exceptions (O'Hare and Edgewater), boundaries for community areas have not changed and allow for comparisons of these areas over time. There are 77 community areas. For more information on the formation of community areas, see

https://en.wikipedia.org/wiki/Community_areas_in_Chicago.

C.5. Community Areas and Partial Census Tracts

Community areas are closely aligned with census tract boundaries. In addition to the partial census tracts noted in the Chicago section (above) there are a few additional tracts worth noting:

- Tract 8310.00 is split between Logan Square and West Town
- Tract 8439.00 is split between South Shore and Woodlawn
- Tract 9801.00 (Midway Airport) is split between Clearing and Garfield Ridge.

With regards to aggregation, for evictions, values are provided for each community area and census tract based on their respective boundaries, partial census tract subtotals are not provided. See the "Census Data" section below for how census data aggregations were calculated for community areas.

C.6. Wards

Wards in Chicago are the legislative boundaries for Chicago's elected aldermen. There are 50 wards. Ward boundaries are redrawn after each decennial census and go into effect with the first election cycle after data is available. The current boundaries, based on the 2010 census, went into effect with the 2015 municipal elections. New boundaries are expected for the 2023 election cycle (based on the 2020 census). For more information on the formation of wards, see https://en.wikipedia.org/wiki/Chicago_City_Council.

NOTE: All eviction cases were geocoded to the current ward boundaries (2015), regardless of when the case occurred.

C.7. Wards and Partial Census Tracts

As noted, ward boundaries are based on census boundaries, but they are based on census block boundaries (a census tract contains several census blocks). All 50 wards contain partial census tracts. About half the census tracts in Chicago are completely contained within a single ward's boundaries, the other half overlap with two or more wards.

With regards to aggregation, for evictions, values are provided for each ward and census tract based on their respective boundaries, partial census tract subtotals are not provided. See the "Census Data" section below for how census data aggregations were calculated for wards.

D. Census Data

D.1. Introduction

Data from US Census Bureau's American Community Survey 5-year estimates were chosen for analysis as they provide the most current data at the census tract level. With 8 years of eviction data, we felt it warranted using more than one set of 5-year estimates, and as comparing non-overlapping 5-year estimates is the recommended approach, we chose to use the 2006-2010 estimates as a proxy for 2010 (our first year of eviction data) and the 2013-2017 estimates as our proxy for 2017 in overtime comparisons. For more information on the American Community Survey, see <https://www.census.gov/programs-surveys/acs>.

D.2. Rental Units

Rentals Units is the combined total of three variables: "Renter Occupied" from "Occupied Housing Units" (table B25003) and both "For Rent" and "Rented, Not Occupied" from "Vacant Housing Units" (table B25004). In order to calculate an annual eviction filing rate (number of eviction filings per 100 rental units), annual rental unit totals were interpolated based on the start point (2006-2010 estimates) and end point (2013-2017 estimates).

D.3. Race

Estimates presented are grouped by five race/ethnicity categories (table DP05). “Latinx” is from “Hispanic or Latino (of any race).” Three groups are from “Not Hispanic or Latino” categories: “White,” “Black or African American,” and “Asian.” The last group includes all other “Not Hispanic or Latino” categories: “American Indian and Alaska Native,” “Native Hawaiian and Other Pacific Islander,” “Some Other Race,” and “Two or more races.”

D.4. Poverty

Poverty is from the “All People” variable from “Percentage of Families and People Whose Income in the Past 12 Months is Below the Poverty Level” (table DP03). There are many variables from the American Community Survey available that can be used to describe financial status. We chose this one for its simplicity and its consistency with race/ethnicity which is also a population-based variable. Information on poverty thresholds is available at <https://www.census.gov/data/tables/time-series/demo/income-poverty/historical-poverty-thresholds.html>

D.5. Other Variables

- **Rent:** from the “Median Rent” variable from “Gross Rent” (table DP04).
- **Housing Units:** from “Total Housing Units” (table B25001, also DP04, DP05).
- **Population:** from “Total Population” (table B01003, also DP05).

D.6. Community Area and Ward Census Data Summaries

The US Census Bureau does not provide data at the community area or ward level. Data from census tracts were aggregated to create values for community area and wards. Using Census Block Assignment Files for Illinois (Chicago FIPS Code is 14000) and TIGER/Line maps, census blocks were grouped by community area and ward (using maps provided by the City of Chicago). Census tracts were similarly grouped. Census tracts contained in more than one community area or ward had proportional population and housing percentages calculated based on 2010 census block data provided with the TIGER/Line maps. Data aggregated for community areas and wards used the appropriate percentage (i.e. housing for rental units, population for race) to derive a fitting proportion of the value being calculated.

As noted, community area boundaries align closely to census tract boundaries, but ward boundaries do not. Thus community area estimates are fairly representative, but ward estimates should be viewed as much more approximate. Notes regarding this are presented when viewing census tract data at the community area or ward level.

Note: These summary calculations only apply to census data and not to eviction data. Eviction addresses were geocoded to community area, ward and census tract.