

KANSAS CITY EVICTION PROJECT

EVICTION IN KANSAS CITY

An Analysis of 2017 Eviction Filings in Jackson County, MO

Across the country and in Kansas City, most low-income renters—and, increasingly, some with moderate incomes—struggle to pay the rent. Poor renters often occupy housing that costs more than they can afford, which can result in evictions and homelessness. Both a cause and condition of poverty, eviction impacts employment and health, causes student mobility, and can make it harder and harder to find secure housing.

Kansas City Eviction Project has compiled a dataset of Jackson County, Missouri eviction filings, spanning nearly 20 years, drawn from county court electronic records. The data are at the address-level and have been geocoded and mapped. From that dataset, we find an average of 42 formal evictions filed per business day in Jackson County since 1999. Eviction filings have remained relatively consistent, year-over-year, suggesting that there could be a core of landlords in the city for whom eviction is a business model. Black people living in poverty are disproportionately impacted by eviction. Race is the most important factor, even when we hold income constant, in predicting whether or not someone will be evicted in Kansas City.

We recently added 2017 eviction filings to our dataset. This report is a status update on evictions in Kansas City, based on that data. We find an overall growth in evictions filed, and specifically an increase in evictions as a result of rent nonpayment. Evictions remain concentrated in neighborhoods with high poverty and among communities of color, but the full footprint of evictions is citywide. We identify actors in Kansas City's real estate market who play a more significant role as evictors in 2017 than ever before. We study evictions within the courts and find trends that corroborate our past research: landlords win almost every case. We conclude with prescriptions for Kansas City's municipal policy and community organizing related to housing.

NATIONAL CONTEXT

The nation's housing crisis has reached emergency levels. A person working full time, paid minimum wage, cannot afford a two-bedroom apartment in any county in the United States.¹ More than half of all Americans spend over 30 percent of their income on housing.² Most poor people spend at least half of their income on rent and utilities.³ Today, over three million families and individuals are homeless, including more than one million children.

Meanwhile, federal funding has not kept pace with community need. Only one in four households that qualifies for federal housing support gets it.⁴ Public disinvestment from housing leaves more of the nation's poor to rent from private landlords than ever before. The private rental market is inconsistently regulated, and the demand for affordable housing far outpaces its supply. Under these conditions, most poor families live one emergency away from an eviction.⁵ Cities like Kansas City face a critical challenge to solve for housing insecurity, one of the most important factors related to the reproduction of urban poverty.

¹ National Low Income Housing Coalition. 2017. "Out of Reach: The High Cost of Housing 2017." Washington, D.C.: National Low Income Housing Coalition.

² Joint Center for Housing Studies of Harvard University. 2013. "America's Rental Housing: Evolving Markets and Needs." Cambridge, MA: Joint Center for Housing Studies of Harvard University.

³ Ibid.

⁴ Urban Institute. 2014. "One in four: America's housing assistance lottery." Washington, D.C.: Urban Institute.

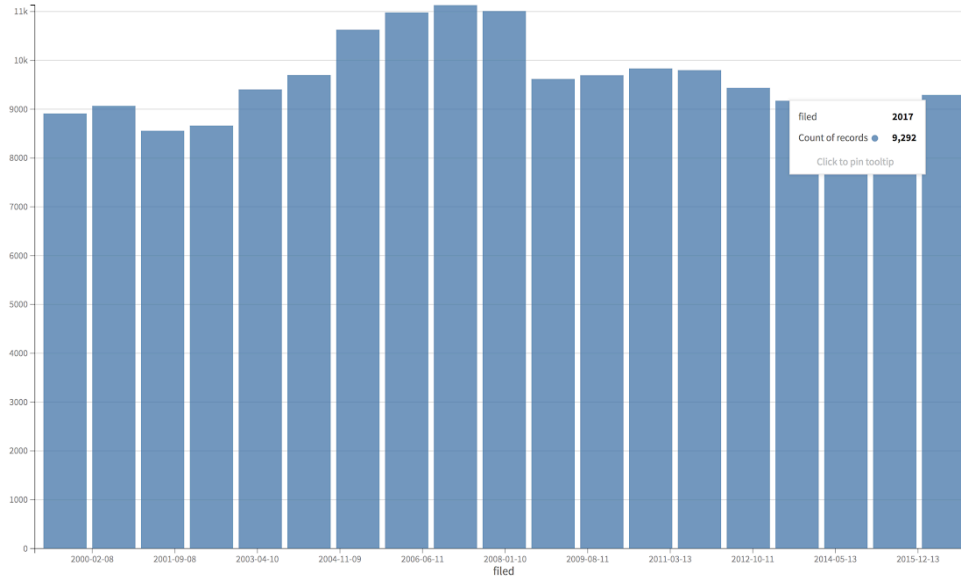
⁵ Desmond, Matthew. 2012. "Eviction and the Reproduction of Urban Poverty." Chicago, IL: American Journal of Sociology.

KANSAS CITY EVICTION PROJECT

EVICTIONS IN 2017

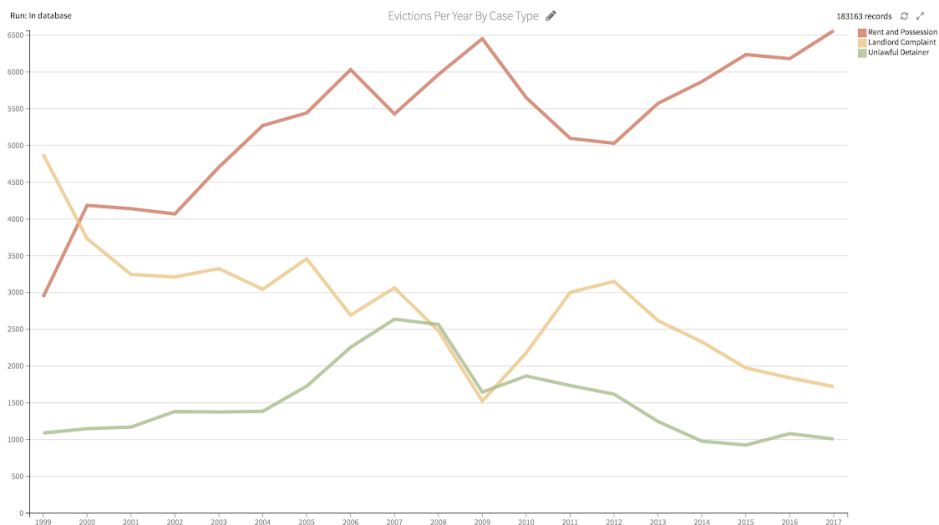
Roughly 9,000 evictions are filed in Jackson County each year. That number represents only a fraction of the total forced moves. Many more evictions occur informally, outside of the court system, and with no data to represent them. In 2017 9,292 evictions were filed in Jackson County, a two percent increase from 2016.

EVICTIONS FILED IN JACKSON COUNTY, MO (1999-2017)



Rent and Possession filings, those evictions filed because of nonpayment of rent, have increased substantially since 2012 and are at their highest levels in at least 18 years. The filings on the basis of rent nonpayment suggest mounting strains in Kansas City’s rental market. This may be related to a shrinking supply of affordable units, or increased churn in the rental market as a result of development, or both forces at once.

EVICTIONS FILED IN JACKSON COUNTY, MO BY FILING TYPE (1999-2017)



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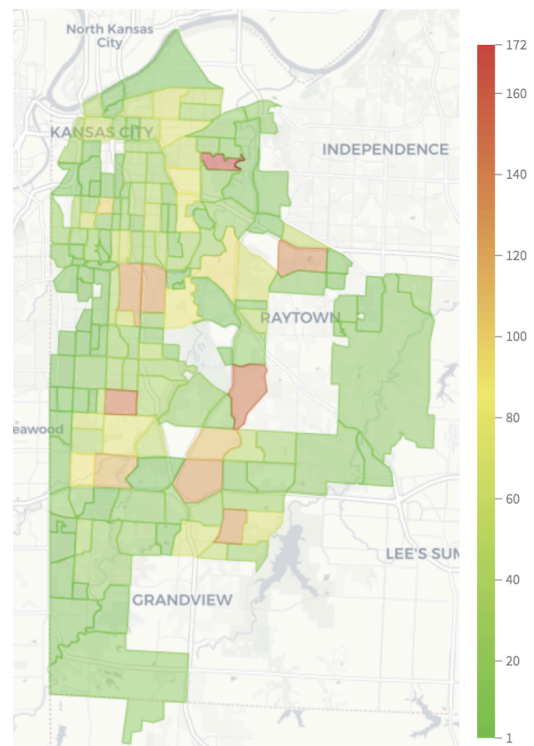
EVICTIONS BY NEIGHBORHOOD IN 2017

Our previous research demonstrated that evictions are concentrated on the east side of Troost and have been for at least the last two decades. We have also found that evictions correspond to neighborhoods with high rates of poverty, lower median incomes, and higher Black populations.

The map below shows the neighborhoods in Jackson County, MO in terms of how many formal evictions they faced in 2017. This is an absolute count of evictions by neighborhood, not normalized by the number of rental units in the neighborhood. In 2017 evictions remained concentrated east of Troost and in poorer neighborhoods. Even so, the map shows hot spots for eviction all over the city.

We can learn from 2017 trends. Notably, some of the neighborhoods with the highest eviction counts in 2017 are not Kansas City's poorest neighborhoods. This could indicate neighborhoods in transition, or neighborhoods that are actively gentrifying. Most neighborhoods with the highest eviction counts in 2017 are located on or near major highway corridors. The relationship between housing and transportation should be examined as the city develops a housing strategy. Finally, some of the most impacted neighborhoods are outside of the urban core and near Raytown, Lees Summit, and Independence. As affordability becomes a bigger challenge in Kansas City, adjacent municipalities will also face the impacts. Kansas City's solutions must be tied to a regional strategy.

EVICTIONS BY NEIGHBORHOOD IN JACKSON COUNTY, MO (2017)



The map above shows neighborhoods hardest-hit by evictions in 2017. It is also important to track the neighborhoods that are seeing the biggest changes. When compared to 2016 evictions, the following neighborhoods saw the biggest increases in 2017: Central Blue Valley and Park Tower Gardens, Loma Vista, Ivanhoe Southwest, Valentine, Park Farms, Paseo West, Independence Plaza, North Hyde Park, River Market, and Ashland Ridge.

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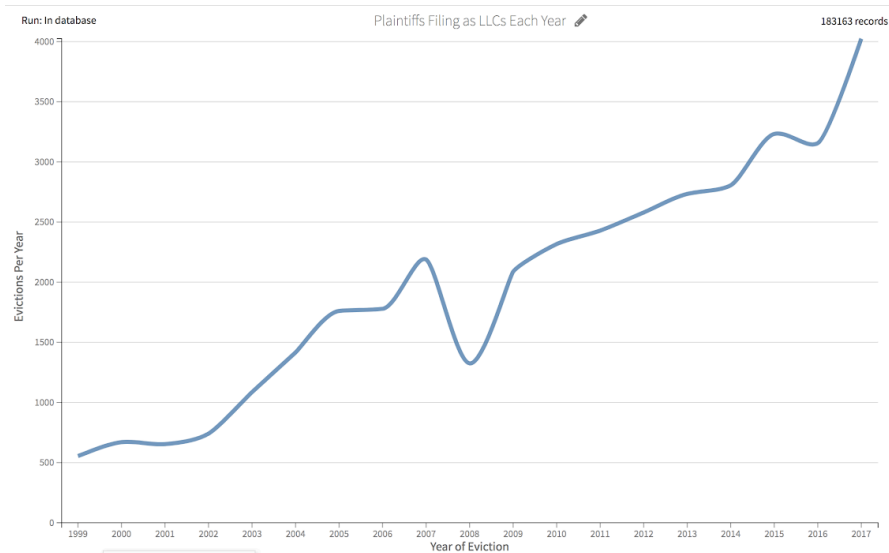
EVICTORS IN 2017

As the real estate landscape in Kansas City evolves, the actors filing evictions have also changed. Limited liability companies (LLCs) filed 4,125 of the 9,292 evictions filed in 2017. LLC eviction filings have increased 30 percent since 2016 and 311 percent since ten years ago.

Owning real estate as a limited liability company or other corporate entity, as opposed to owning as an individual, is an increasingly popular practice nationally. In 1991, individuals held 92 percent of rental properties in America. By 2015, that number had fallen to 74 percent, driven largely by the growth of LLC holdings.⁶

Though LLC ownership of rental property is legal, it brings significant burdens for cities and tenants. LLCs can shield property owners from personal liability while obscuring their identities. This degree of anonymity can enable owners to lauder money, it can cause tenants to struggle to hold landlords accountable, and it makes it harder for cities and the community to regulate owners.⁷ LLC-held properties are often—but not always—owned by out-of-state companies with properties in many markets. This further complicates accountability of property owners to the local community.

PLAINTIFFS FILING AS LLCs IN JACKSON COUNTY, MO (1999-2017)



⁶ Badger, Emily. 2018. Anonymous Owner, L.L.C.: Why It Has Become So Easy to Hide in the Housing Market. New York Times.

⁷ Ibid.

KANSAS CITY EVICTION PROJECT

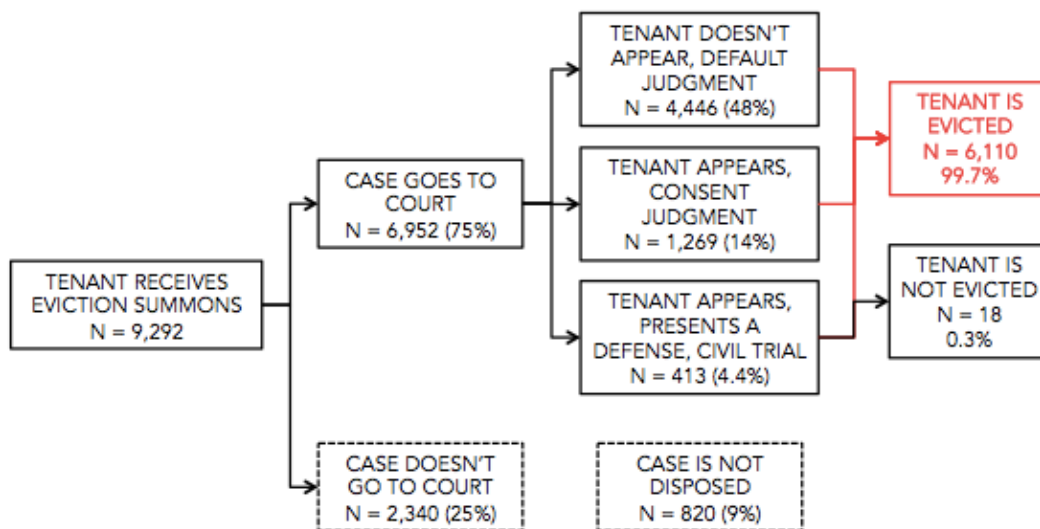
EVICTION COURT IN 2017

Of the 9,292 evictions filed in Jackson County in 2017, 75 percent made it to the landlord-tenant docket where a judge heard the eviction case. 25 percent of the filings did not make it to the docket, often because they were dismissed beforehand. We do not have much information on why those cases were dismissed, but it is likely that the tenant either paid past due rent or decided to move before the court could hear the case. The scenario in which a tenant moves before the case can be heard would not necessarily result in a formal eviction judgment, but their outcome might still be considered a forced move or an informal eviction.

In 2017 the landlord won 99.7 percent of the cases that made it to the landlord docket and were disposed in court. Of the 6,952 eviction cases heard by the landlord-tenant docket in 2017, the tenant prevailed in only 18 cases. Judges decided 4,446 cases in favor of the landlord because the tenant did not appear in court, a default judgment.

Our analysis of eviction in the courts between 2006-2016 shows that lawyers represent 84 percent of landlords, while only 1.3 percent of tenants have representation.⁸ Those tenants who have representation win in court significantly more often than those who do not have representation, and tenants win more frequently when landlords represent themselves, without a lawyer. Tenants who were able to afford or attract counsel likely had stronger claims. Even so, the data show that legal representation matters.

EVICTIONS IN JACKSON COUNTY, MO LANDLORD TENANT COURT (2017)



⁸ Kansas City Eviction Project. 2018. Eviction in the Courts. <https://www.evictionkc.org/s/KC-Eviction-Project-Courts-Analysis.pdf>

KANSAS CITY EVICTION PROJECT

IMPLICATIONS

Kansas City has an urgent opportunity for intervention, which can, in turn, inform other cities, as well as regional and national policy. The affordable housing crisis is not new but it is becoming more acute. Poor people and communities of color have not yet been priced out of places like Kansas City. However, if we fail to imagine and implement systemic reforms, they will be.

Kansas City's City Council, through Ordinance #170825, directed the City Manager to provide information on the overall state of housing policy and develop a local five-year housing policy, due by August. That directive has led to months of community engagement, and the Task Force is prepared to present a plan by the end of the summer. A comprehensive housing agenda has the potential to address Kansas City's eviction epidemic, but only if it is adequately bold—and if it actually implemented.

One thing is clear: there is no singular solution to eviction and the affordable housing crisis. We need a comprehensive housing strategy that prioritizes community education, equitable representation in courts, regulation of the private market, preservation and rehabilitation of affordable rental stock, and new construction. Solving for deep and systemic injustice will require significant investment from the city, and it will take time.

The housing strategy must put the people of Kansas City before the special interests of developers. And, critically, the housing strategy must explicitly address the racial injustice inherent to Kansas City's housing market now. It must be a racial justice agenda as much as it is an agenda for housing justice.

Organizing communities directly impacted by the affordable housing crisis will be as important as developing solid policy. Community organizing will build power among the people closest to the problem, and therefore closest to the solutions. Next year's municipal elections present a ripe opportunity for Kansas City residents to organize and demand robust housing agendas from each candidate for Mayor and City Council.

ACKNOWLEDGMENTS

Kansas City Eviction Project is a collaborative effort involving researchers, community organizers, neighborhood leaders, lawyers, and policymakers. Eviction is our entry point to understanding housing injustice in Kansas City. We aim to advance a housing justice agenda and build political power with people affected by housing injustice.

Kansas City Eviction Project thanks all of our partners in the community for their experiences and expertise that have shaped this report and our continued research. Those partners include but are not limited to: Diane Charity, Gina Chiala, Evie Craig, Shannon Jaax, Lora McDonald, Dina Newman, Mike Reynolds, Brent Schondelmeyer, Dr. Jacob Wagner, and Jerome Williams.

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Jacob Wagner, Associate Professor of Urban Planning and Design and the Director of the Urban Studies Program, and Faculty Director of the UMKC Center for Neighborhoods and Brandon M. Weiss, Associate Professor of Law at UMKC School of Law contributed insights and edits to this report.