

NOTICE TO VACATE

**A CIVIL
INJUSTICE:**
**THE STATE OF EVICTION
IN CALIFORNIA. 2010-2024**

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Strategic Actions
for a Just Economy
(SAJE)





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A CIVIL INJUSTICE: THE STATE OF EVICTION IN CALIFORNIA 2010–2024

Kyle Nelson, SAJE

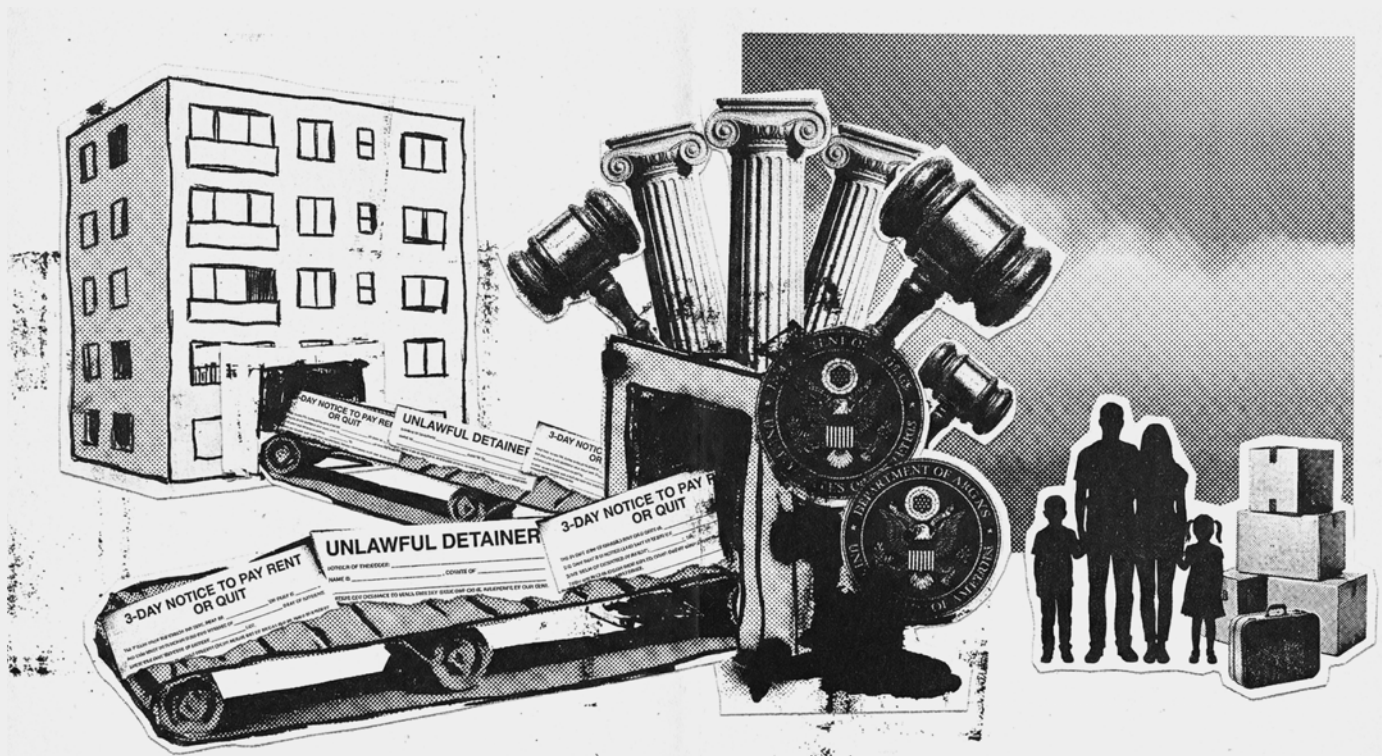
INTRODUCTION

Each year, hundreds of thousands of tenants around California face eviction. Once referred to as a “hidden housing problem,”¹ eviction is now widely acknowledged to be a contributing factor to the state’s housing crisis.² The eviction process begins with a legal notice and, in just a few short weeks, can result in a tenant losing their home in eviction court. When tenants who cannot pay their rent are evicted through the civil justice system, their material circumstances become worse, and they are significantly more likely to experience homelessness.³ This is because eviction exacerbates financial distress, becoming a “mark” on tenants’ credit reports that is discoverable in background checks and makes it harder to secure other housing options. And these consequences are disproportionately borne by women of color, particularly Black women.⁴

But eviction is neither spectral nor inevitable. It is a tool codified into our housing laws, collectively implemented by a range of actors in housing and consumer affairs agencies, the court system, and law enforcement. It is a process that causes homelessness and, unlike other causes, occurs in a venue that could easily and affordably be reformed in ways that could prevent tenants from experiencing homelessness by helping them stay housed. Thus, eviction is perhaps *the* nexus of housing and homelessness policy. And policymakers know far too little about it.

Policymakers do not know enough about eviction because California has a patchwork, inconsistent system of data collection for eviction filings and outcomes. Currently, each of California’s 58 counties have their own approach to documenting outcomes and making the information available to the public, if they do at all. Moreover, California does not mandate what eviction data, if any, should be tracked. And, because academic research on evictions has tended to focus on jurisdictions where this data is robust and easily available, there has yet to be a study that offers a comprehensive picture of eviction filings and outcomes in California.





Without a nuanced understanding of eviction filings and case outcomes across California, especially historical variation in its spatial concentration, policymakers cannot craft data-driven interventions designed to prevent entrances into homelessness or stabilize tenancies for renters who are at risk of experiencing homelessness. In fact, most legislation, at both state and local levels, is written, amended, and enacted without this essential context. In 2023, citing budget concerns, California Governor Gavin Newsom vetoed legislation designed to standardize reporting about eviction outcomes across the state.⁵ Two years later a similar bill died in the California Senate Appropriations Committee. By obstructing eviction data accessibility, the governor and state legislators made it even harder for state and local jurisdictions to understand one of the primary drivers of homelessness,⁶ even as California has committed unprecedented levels of resources towards solving its homelessness crisis.⁷

The aims of this report are twofold. First, it presents as complete a picture as possible of eviction case outcomes in California over fourteen years, from 2010 to 2024. Using the data that is available from each of the state's 58 counties, it identifies trends on eviction filings and outcomes that offer valuable insights into when and how policymakers might intervene in the legal process to help tenants remain housed. Second, this report identifies flaws in the state's eviction data reporting systems, outlining how basic, marginal improvements to those systems could help create better housing policies. It concludes with policy recommendations for standardizing eviction reporting to improve data accuracy, reform the legal eviction process, and prevent tenants from entering homelessness.

I. EVICTION DATA REPORTING AND THE JUDICIAL COUNCIL

Evictions are processed as unlawful detainer lawsuits (UDs) in California's superior court system, which is overseen by its policymaking body, the Judicial Council. Among its many functions, the Judicial Council collects and publishes data documenting "key workload indicators" characterizing courts' operations.⁸

While California's county courts are administered by the state, they do not all have the same case management system, and their data collection methods vary. Furthermore, counties that have received funding to upgrade their case management systems and are "in the midst of a technology upgrade," are not required to report data to the Judicial Council.⁹ Still, since many counties use the same contractors to develop case management systems that track case data including evictions, it is unclear exactly why the Judicial Council considers the process of collecting and aggregating these data difficult.



When county courts do report eviction court data (and most do), they typically provide the Judicial Council with aggregated data on filings and outcomes collected from their case management systems, which Judicial Council staff must then organize into a dataset consisting of categories reflecting the interests of the courts and state legislature.¹⁰ Some information on statewide eviction filings is publicly available in the court's annual reports, but data on eviction filings and outcomes at the state and county level can also be requested through California's Public Records Act.

While California’s Judicial Council collects data on *eviction filings* from all 58 of its county court systems, **it has long struggled to compel its largest county court systems to report data on *eviction outcomes*.** As **Table 1** shows, however, county coverage of eviction outcomes has increased over time.¹¹

TABLE 1:
California Counties Reporting Data to the Judicial Council, 2010–24

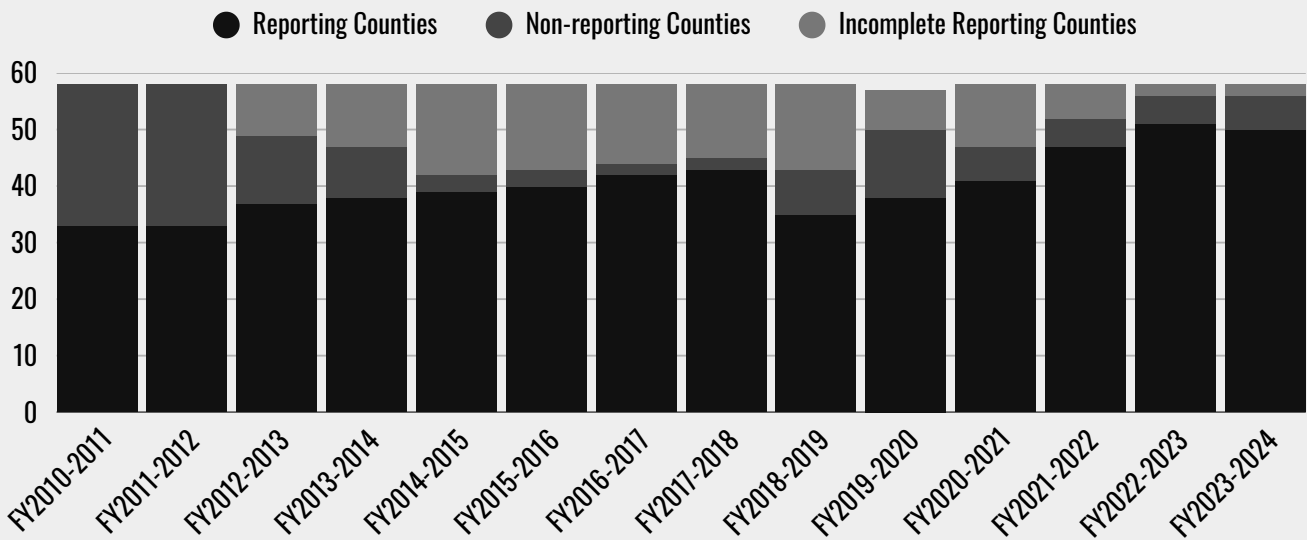
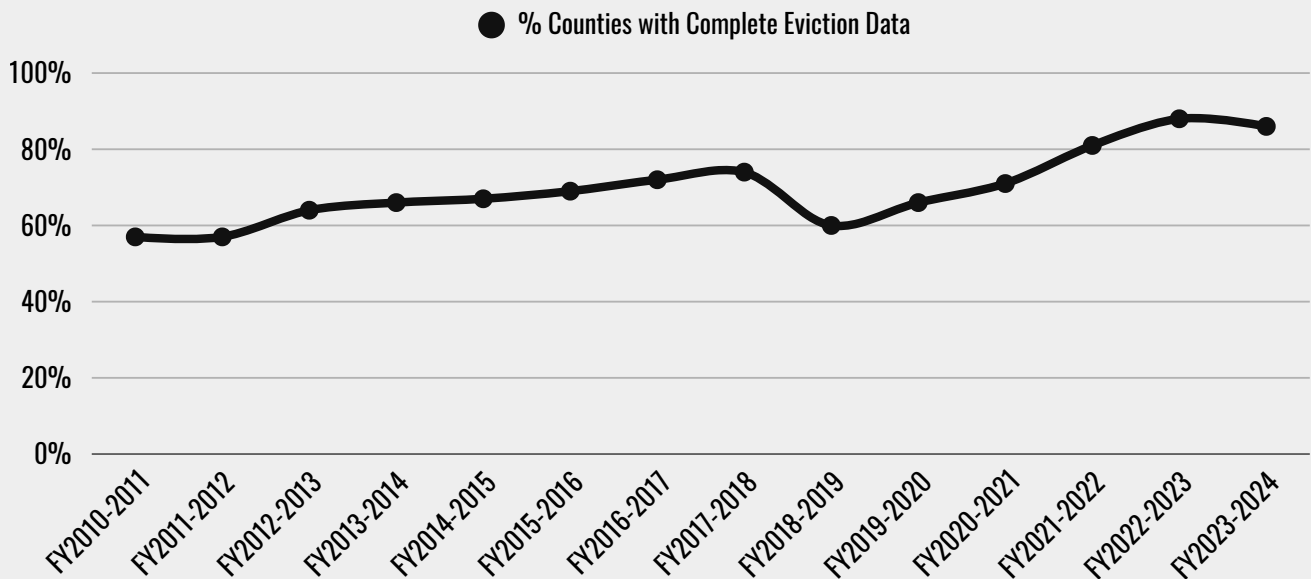


FIGURE 1
CA Counties Reporting Complete Eviction Data to Judicial Council



In FY 2010–11, **only 57% of counties (33 of 58)** reported data on eviction outcomes to the Judicial Council; by FY 2022–23, that number **peaked at 88% (51 of 58)** before falling to 86% (50 of 58) in FY 2023–24.

However, as **Tables 2 and 3** show, this growth in coverage is deceiving.

TABLE 2

CA Tenancies in Counties Reporting Complete Data to the Judicial Council, 2010-2024

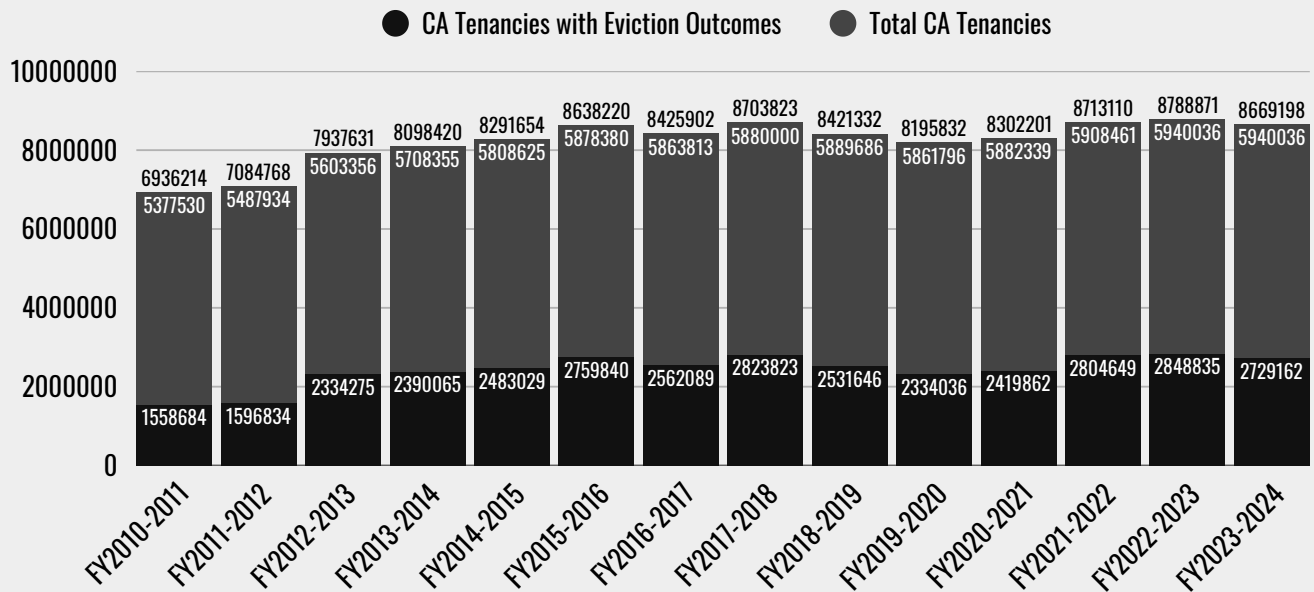


FIGURE 2

CA Tenancies with Complete Eviction Data from Judicial Council

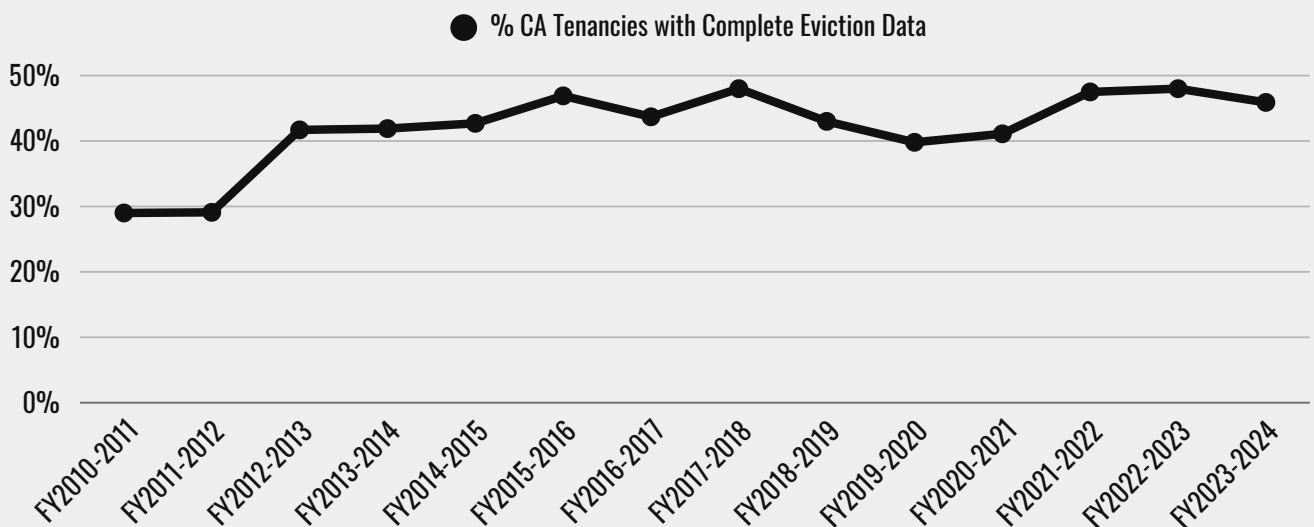


TABLE 3

CA Eviction Outcomes in Counties Reporting Complete Data to the Judicial Council, 2010-2024

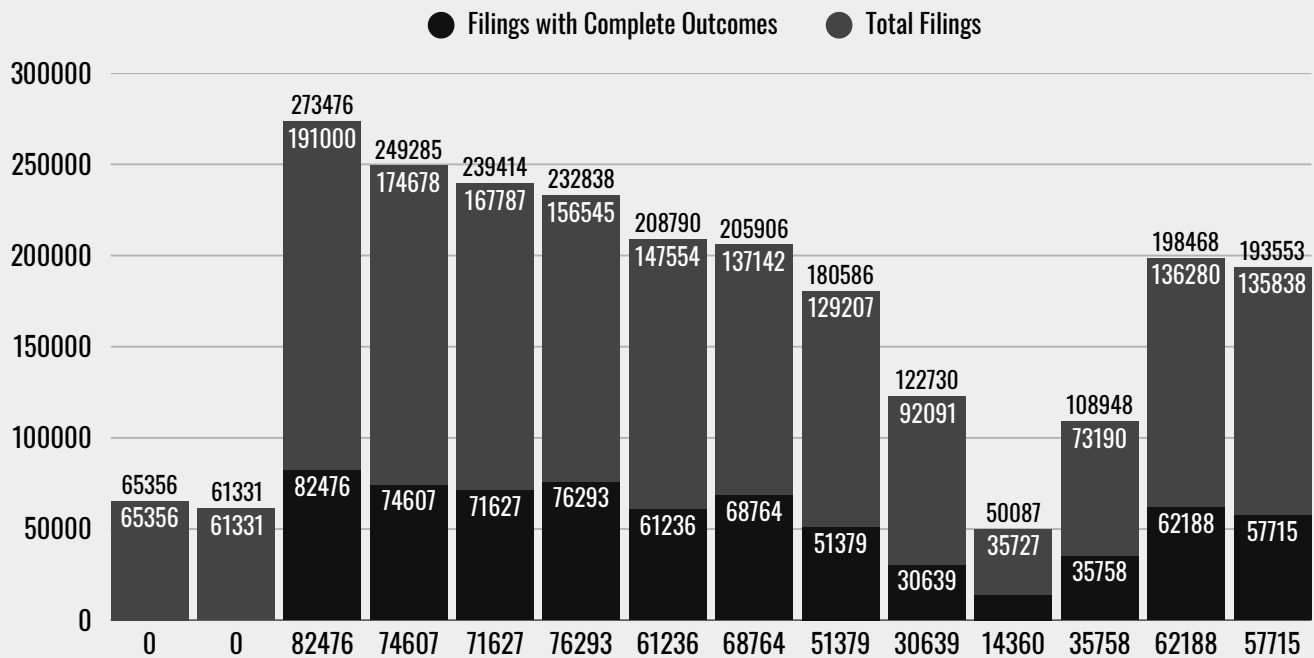
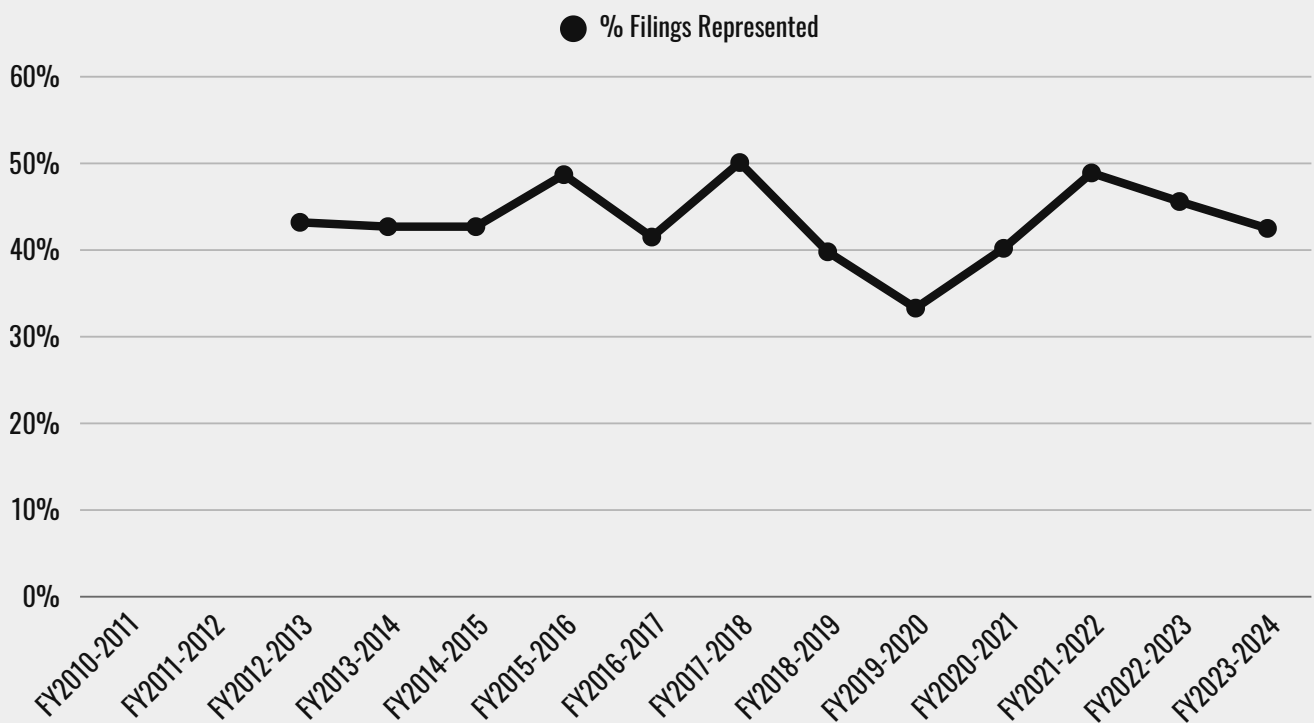


FIGURE 3

CA Eviction Filings with Complete Eviction Outcome Data from Judicial Council

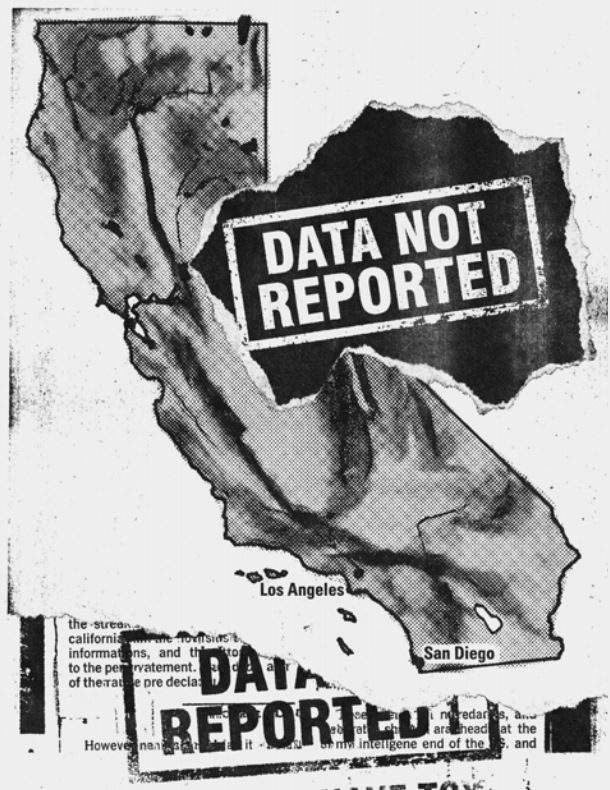


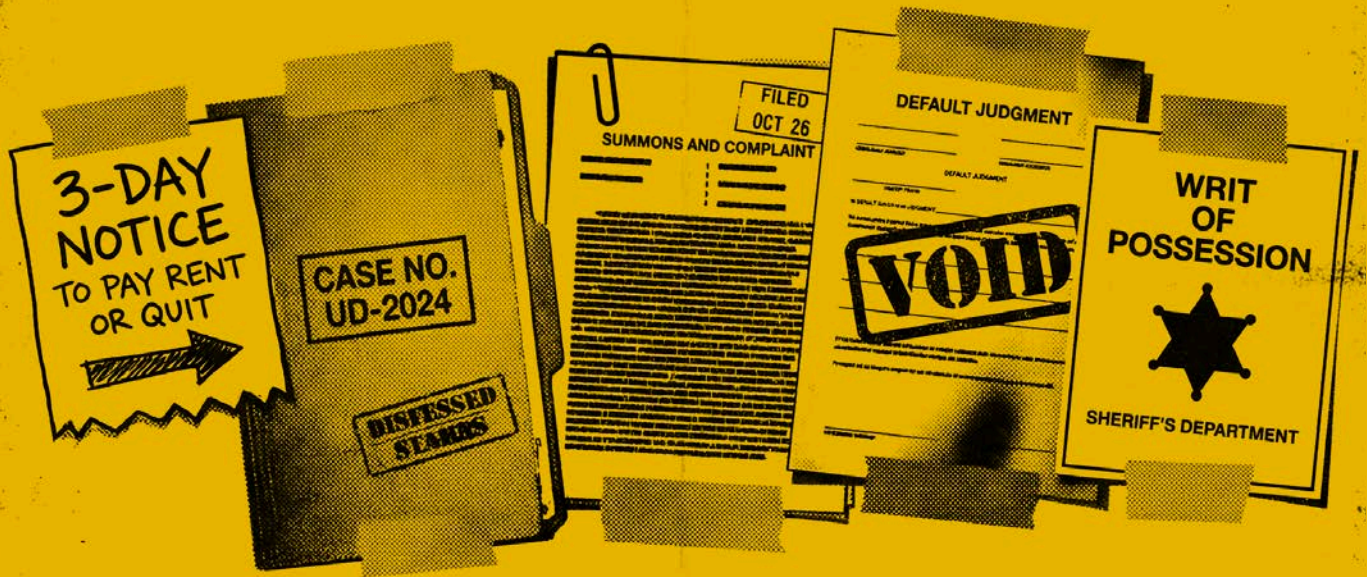


For example, in FY 2023–24, the eight counties that did not report eviction case outcome data to the Judicial Council contained over 54% of the state’s tenancies and over 57% of its eviction filings (as reflected in Table 3).¹²

As these tables show, counties that report data on eviction outcomes account for a relatively small percentage of eviction filings in the state. The lack of eviction outcome data (or consistent data) from large counties like Los Angeles, Riverside, Sacramento, San Diego, and San Francisco is concerning; not only do these counties contain cities with large tenant populations and expensive housing markets, but they are also cities with high numbers of eviction filings. In the 12 years (of 14 total years in the dataset) where every county reported data on eviction filings to the Judicial Council, counties only reported data on eviction outcomes for 43.5% of the state’s overall eviction filings. Even in the Judicial Council’s most “representative” coverage years, policymakers and researchers had eviction outcome data from counties accounting for just 48% of the state’s tenancies and 50% of its eviction filings.

Therefore, it is a stretch to say that state policymakers have ever had a complete picture of eviction outcomes in the state as it develops and funds policies meant to prevent homelessness. Data on the number of annual eviction filings per county is certainly important, but it can provide only a small piece of the overall context that is necessary for state and local lawmakers to craft policies protecting tenants from eviction. This is because eviction filings do not necessarily result in an eviction; without data on eviction outcomes, policymakers will not be able to tell the difference and direct the state’s finite economic resources to the places where tenants are in most need of support. For now, California’s Judicial Council has few tools at its disposal to compel its most populous counties to report data on eviction outcomes and legislation to fix this problem has been blocked by the state legislature and the governor’s veto.⁵





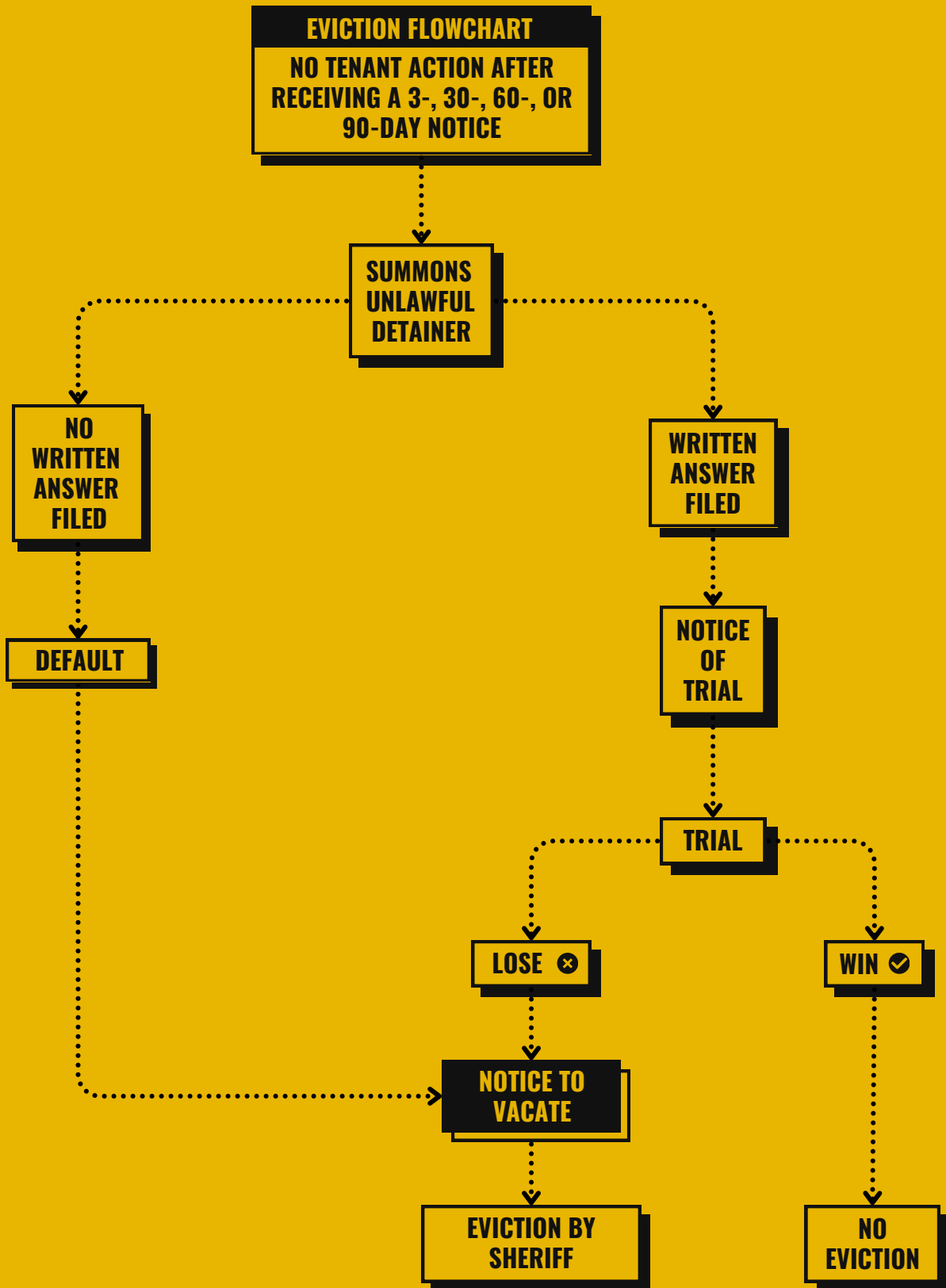
II. EVICTION, CALIFORNIA COURTS, AND LEGAL OUTCOMES

While the California courts certainly have their limitations when it comes to eviction data, a benefit of a state-based, county-administered court system is that the legal process for eviction in California is more or less consistent across all 58 counties. This makes a more robust, uniform system for reporting data on eviction filings and outcomes across the state possible because the eviction process is the same (and its outcomes mean the same thing) across local jurisdictions. In this section we will diagram the legal eviction process while showing where the eviction outcomes tracked by the Judicial Council fit.

In California, a landlord initiates the eviction process by serving a notice to a tenant that names an alleged breach of lease (e.g., nonpayment of rent) to be corrected as well as the time they have to fix it—typically three, 60, or 90 days.^{13 14} There are also a limited number of reasons a landlord can initiate an eviction that are not based on an alleged breach of the lease. These are usually called no-fault evictions. If this period lapses and the breach of lease is not fixed, the landlord can then file an unlawful detainer lawsuit (UD)¹⁵ against the tenant. This process formally initiates the eviction process in California’s county superior court systems.



Figure A: Eviction Process Flow Chart



When landlords file a UD, they must also serve tenants with two legal documents: a Summons and a Complaint. The Summons notifies tenants that a lawsuit has been filed against them. The Complaint presents the grounds of the lawsuit: the breach of lease allegation (e.g., nonpayment of rent) and the notice violation (e.g., a tenant not vacating premises after the 60-day notice to move out). Nonpayment of rent is the most common reason for eviction lawsuits.¹⁶

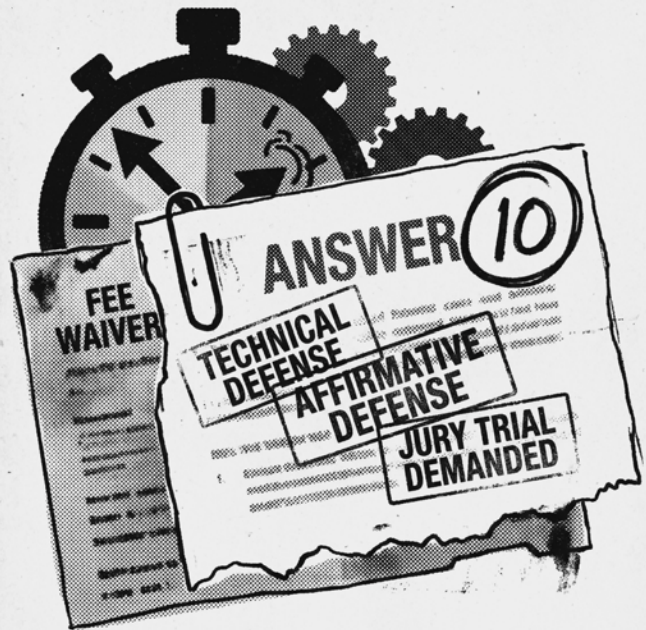


This type of eviction includes a variety of cases including those where tenants experience financial hardship, attempt to pay rent to landlords who do not accept it, and withhold rent to compel landlords to make necessary repairs or restore services promised in the lease (e.g., a parking space or an on-site washer and dryer).

Landlords must follow the eviction procedures outlined by the courts or run the risk of having their cases dismissed, but some tenants never receive proper notice because they “voluntarily vacate” their homes, court documents get lost in the mail, or landlords engage in “sewer service,” improperly serving documents or even lying about having served them.



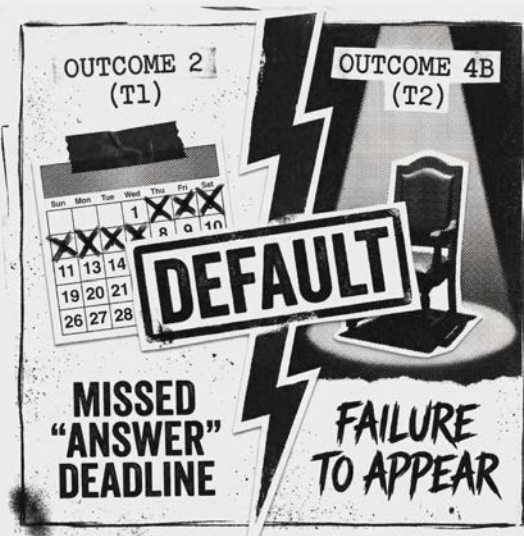
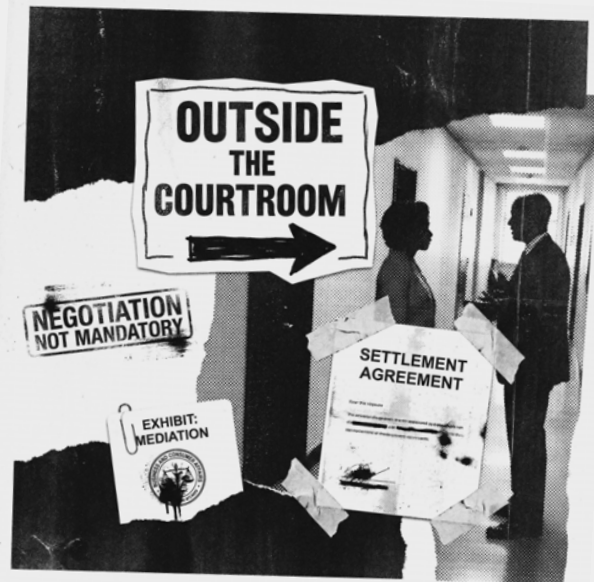
Tenants who receive a UD have ten court days from the date of service to submit an Answer.¹⁷ In completing and filing an Answer, tenants must respond to landlords' allegations and can raise technical and affirmative defenses to them. In the case of the allegation of nonpayment of rent, a technical defense might be the fact that the landlord never specified an address where tenants should mail past-due rent during the three-day notice period. An affirmative defense might be the fact that the landlord's lawsuit violated the terms of the local rent-stabilization ordinance, which states that a tenant cannot be evicted for owing less than one month's rent. As part of their Answer, tenants may also complete and submit a fee waiver and a demand for a jury trial.



Tenants facing eviction rarely request jury trials, likely because they may not be aware of their right to request one, as many municipal housing agencies across the state lack capacity to build awareness about basic tenants' rights. Eviction defense lawyers understand the benefits of a jury trial, but the demand for legal assistance with eviction cases far exceeds the supply of attorneys and paraprofessionals in every county. And, while some courts have on-site self-help centers to support tenants in navigating the court system without a lawyer, these centers typically only assist with Answers and Fee Waivers—advising tenants to file a jury demand is prohibited, as it is considered “providing legal advice.” Still, requesting a jury is vital for tenants in eviction proceedings, as jury trials tend to be more sympathetic venues for tenants to contest their evictions, and even the “threat” of a jury trial may give tenants significantly more leverage to advantageously settle or convince their landlord to dismiss a case prior to trial.



If a tenant does not file their Answer in time (or at all), then a landlord can request the court enter a default judgment against tenants. Default judgments generally refer to a party's failure to perform a court-ordered obligation, which in eviction cases can occur at two key points: at Time 1 (T1), for not filing the Answer within the ten-day time period, or at Time 2 (T2) for not appearing in court. While a T1 default judgment can only occur at the beginning of an eviction case, a T2 default judgment is possible each time a tenant is required to go to court.



Outcome 2: Court enters a T1 default judgment

After a tenant files their Answer, parties (usually a landlord) can request a court date. In some counties, judges advise landlords, tenants, and their respective lawyers to leave the courtroom and negotiate a settlement somewhere else in the courthouse. Negotiation, however, is not mandatory. The settlement process occurs regardless of whether lawyers are involved; in the Los Angeles County Superior Court's Stanley Mosk Courthouse, for example, representatives from the Los Angeles Department of Business and Consumer Affairs mediate in negotiations between landlords and tenants who appear in court without lawyers.

These "hallway negotiations" can "succeed" or "fail," from a tenant advocacy perspective.¹⁸ When a negotiation succeeds from this perspective, a landlord has either voluntarily dismissed the case, or a tenant and landlord have negotiated, settled, and submitted a stipulation agreement. Negotiated terms in a stipulation agreement generally involve some combination of money, time, and record sealing. Examples of negotiated stipulation agreements include: 1) Both parties agree to seal a tenant's court record, back rent is waived, and the tenant has 60 days to vacate; 2) Both parties agree for a tenant to "pay and stay"; or 3) Both parties agree to seal a tenant's eviction record, there is no waiver of back rent, and the tenant is given additional time to vacate. If the parties cannot settle, then they either move to a trial (in courtrooms with low caseloads, the trial might happen on the same day) or petition the judge to "send out" their case for trial (in courtrooms with larger caseloads, a new trial date will be set).



STIPULATION AGREEMENT TERMS



A In terms of money, parties may try to negotiate waiving some amount of back rent or entering into some sort of repayment plan. Tenants may also negotiate to “pay and stay” if they are able to pay back rent, as well as current rent.

B In terms of time, parties may try to negotiate more time to move or more time to comply with an agreed upon action (e.g., paying rent by “x” date or inspecting an apartment by “x” date).

C In terms of record sealing, landlords have the power to ask courts to seal tenants’ records, which may prevent the “mark” of eviction.

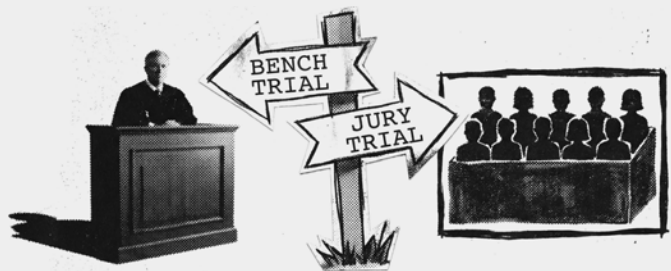


Outcome 3a: Landlord dismisses lawsuit.

Outcome 3b: Both parties agree to settle and file a stipulation agreement.

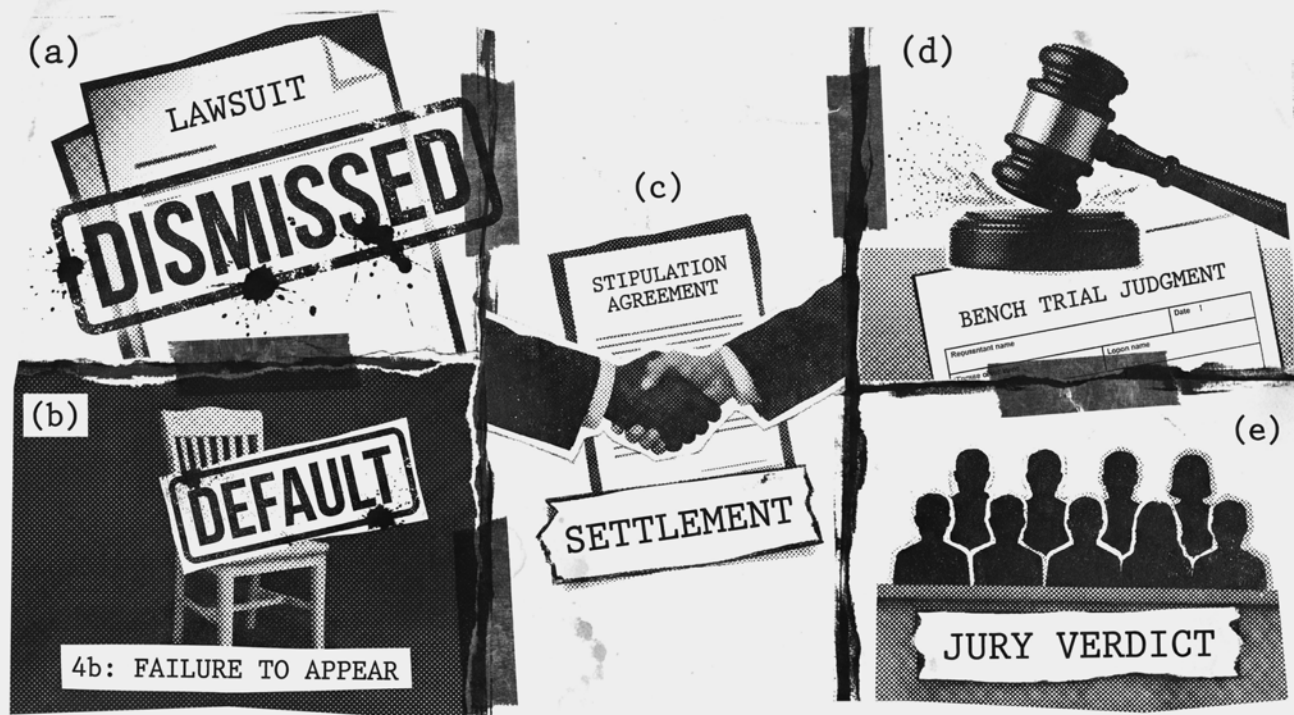
Outcome 3c: Both parties do not settle and the case advances to trial.

When an eviction case moves from the negotiation stage to the trial stage, outcomes may be determined by two types of trials: bench trials and jury trials.



Bench trials consist of both parties (+/- lawyers) arguing their case in front of a judge.

Jury trials consist of both parties (+/- lawyers) selecting a jury and arguing their case in front of the jury and a judge.



In either case, the outcomes are the same: courts enter judgments in favor of the plaintiff (landlord) or the defendant (tenant). When landlords win, they may repossess tenants' homes by locking tenants out and, if back rent is at issue, collecting rent debt. When tenants win, they may remain in possession of their homes. Once a case is closed, however, tenants must repay back rent that they owe to landlords or landlords can issue a three-day notice and initiate a new eviction lawsuit. If the condition of a tenant's unit is in serious disrepair, or if a landlord has violated the terms of the lease, a court can decide to reduce a percentage of back rent that the tenant owes the landlord. That being said, there are two other outcomes that are also possible: landlords may dismiss the eviction lawsuit, or both parties may decide to settle.

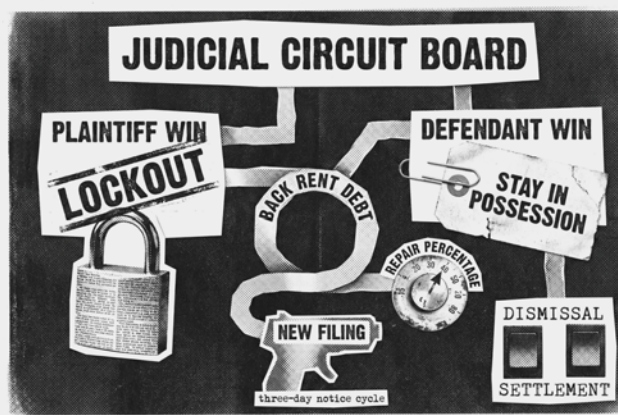
Outcome 4a: Landlord dismisses lawsuit.

Outcome 4b: Tenant fails to appear and landlord can request the court enter a T2 default judgment against them.

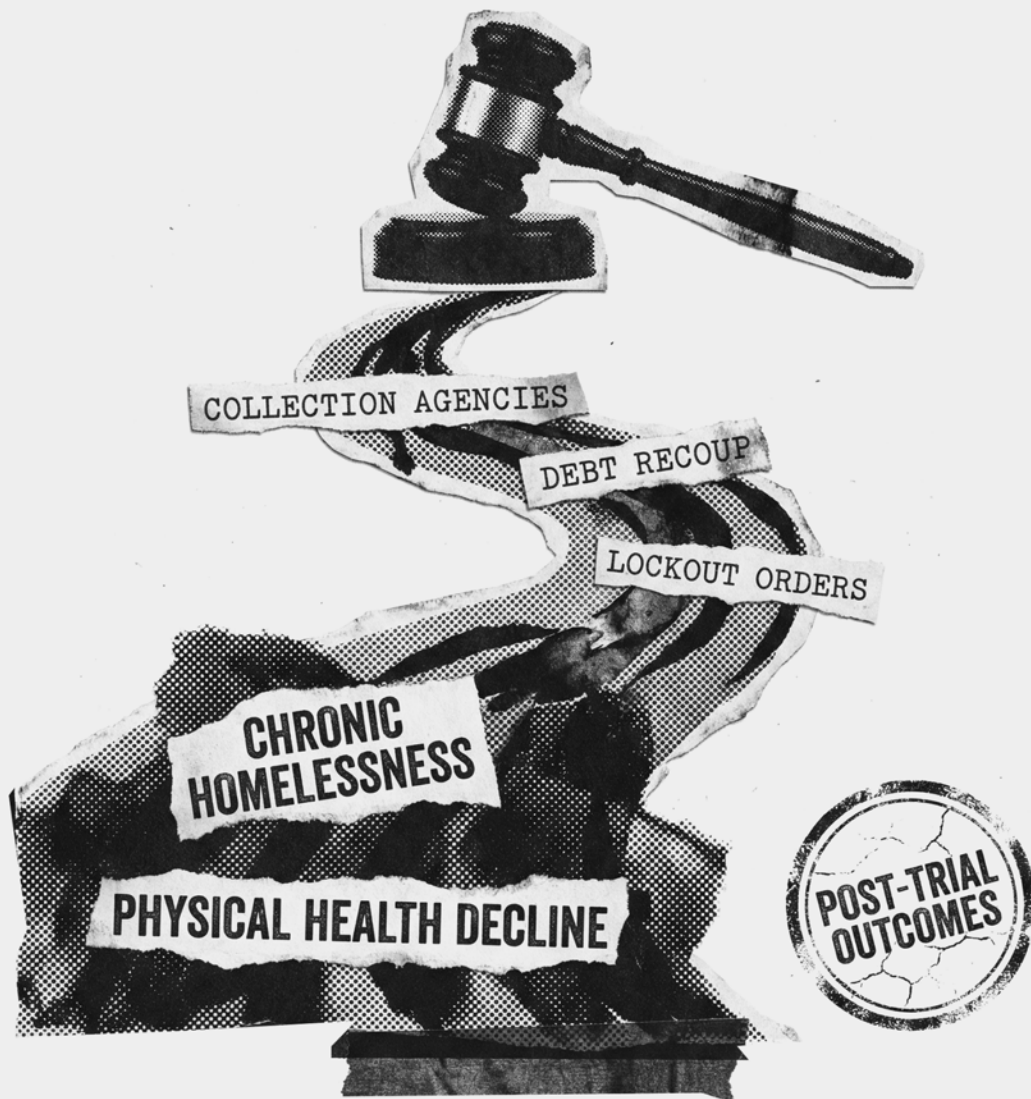
Outcome 4c: Both parties agree to settle and file a stipulation agreement.

Outcome 4d: A judgment is entered following a bench trial.

Outcome 4e: A judgment is entered following a jury trial.

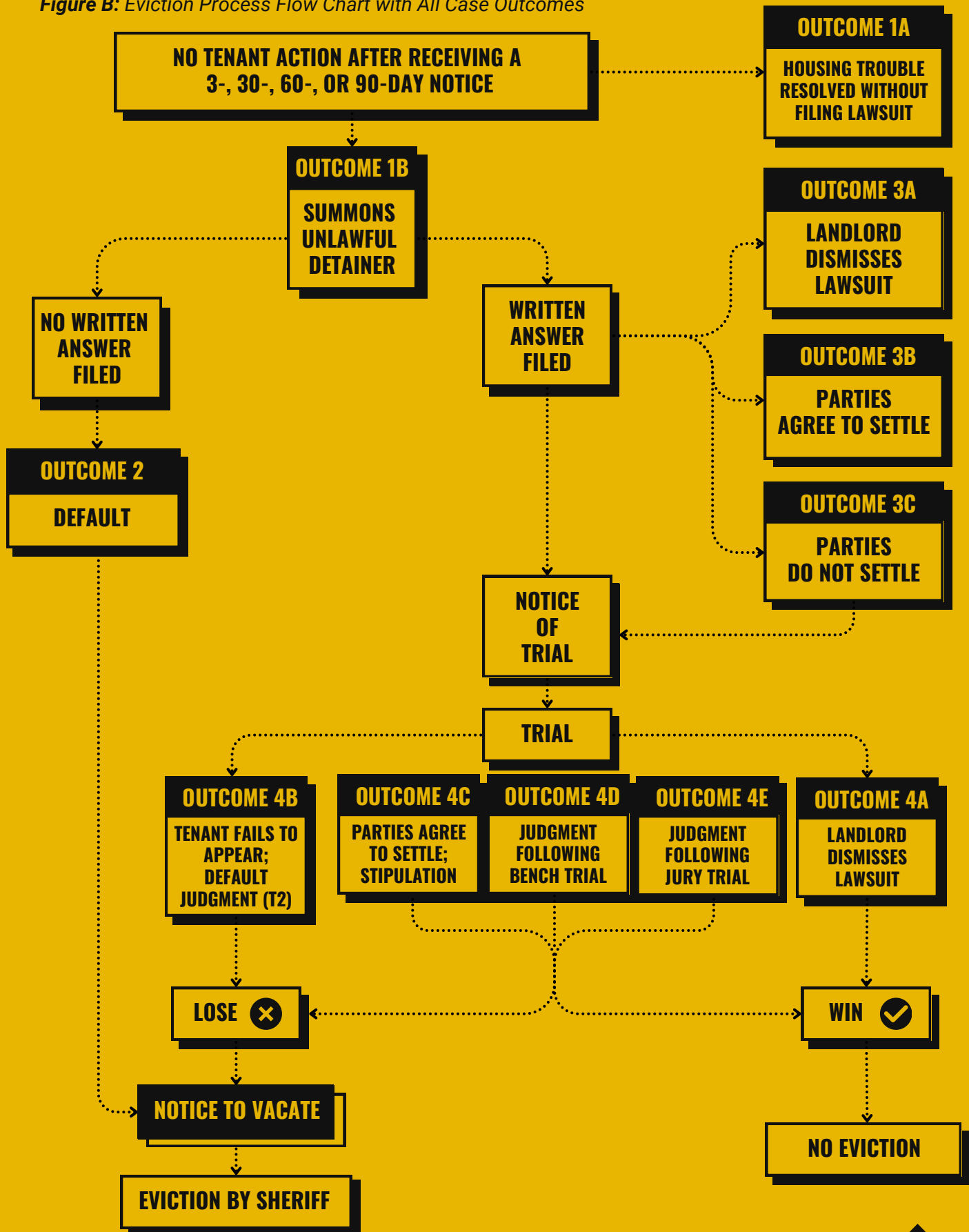


Pending motions or appeals by either party, a trial judgment (via bench or jury trial) marks the end of an eviction lawsuit. It is not, however, the end of the eviction process. When landlords win cases against tenants, they are awarded court orders that law enforcement agencies can use to lock tenants out of their homes. Additionally, collection agencies may attempt to recoup debts. Tenants also may be plagued by the negative effects of an eviction long after the court case concludes, including diminished mental and physical health, an inability to secure alternative housing, and chronic homelessness, among other outcomes.



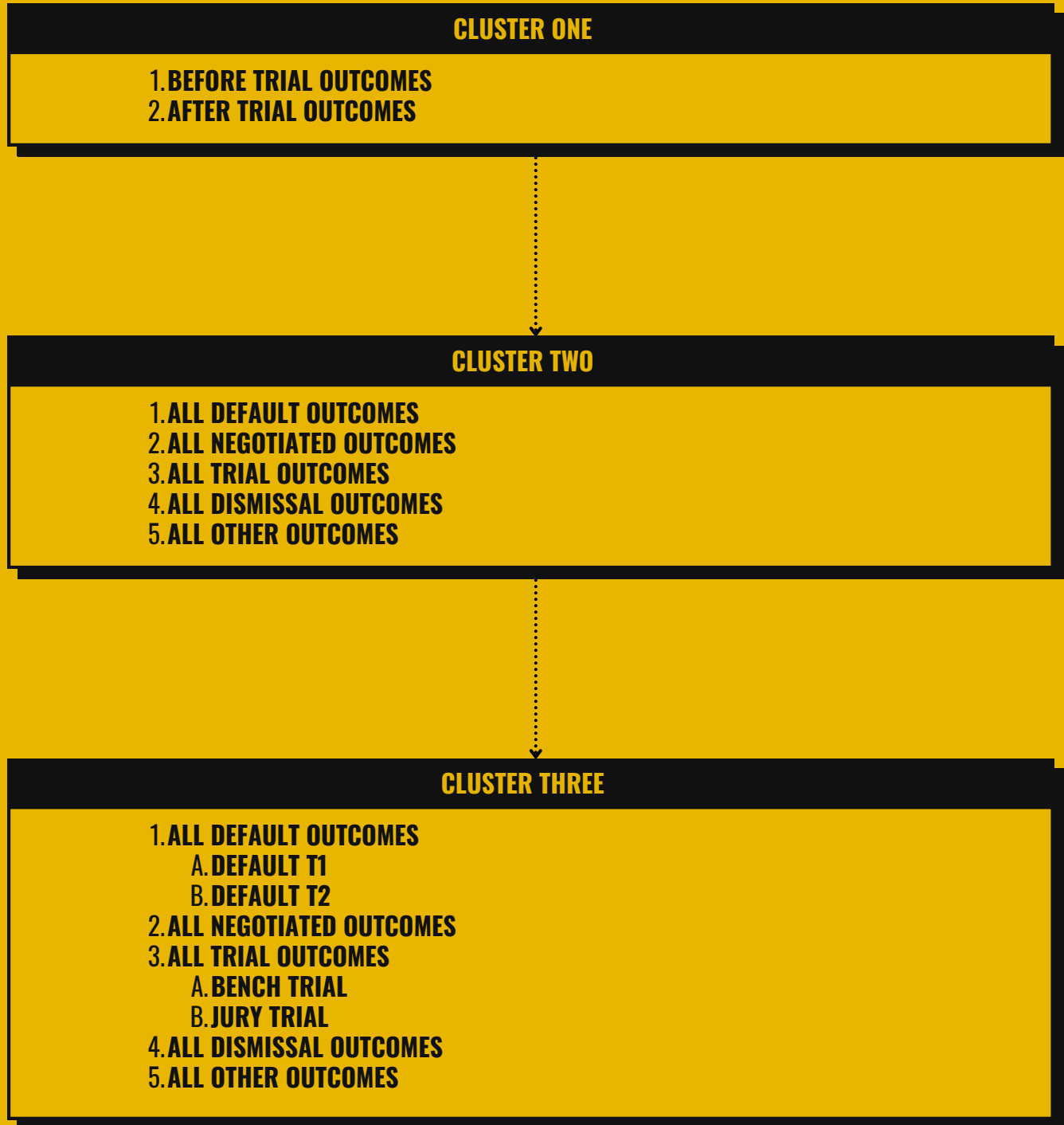
While academics have primarily studied the effects of *eviction filings* on tenants' economic, health, and housing outcomes, it is vital that policymakers understand the *eviction outcomes* that occur throughout the legal process. This is why data about eviction case outcomes is so essential for data-driven policy—it can help make sense of what actually happens to tenants in and out of court, during the process between receiving a UD and losing their homes.

Figure B: Eviction Process Flow Chart with All Case Outcomes



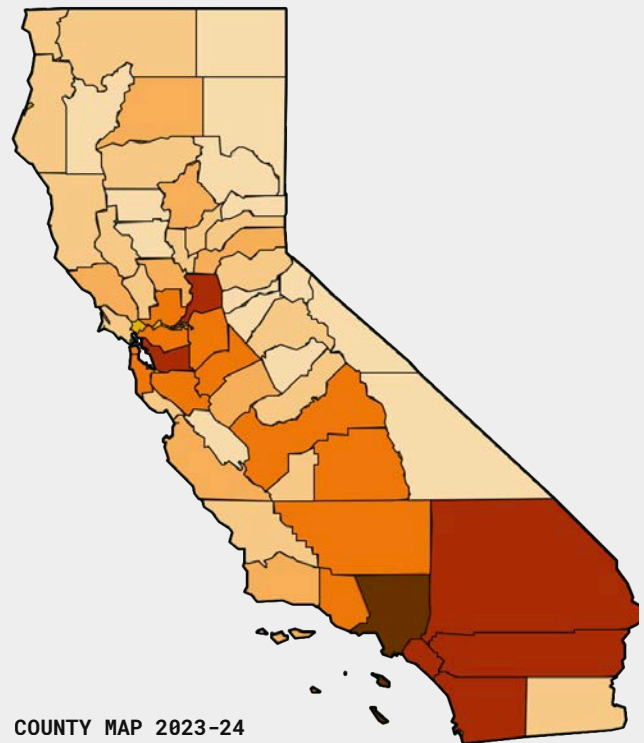
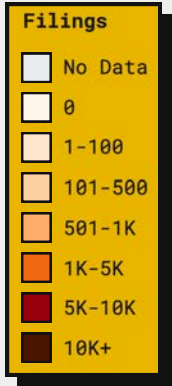
For simplicity's sake, this report adapts the Judicial Council's 27 outcomes into three clusters, listed from simplest to most nuanced outcome classifications that will be used:

Figure C: Eviction Process Flow Chart with Simplified Case Outcomes



A. EVICTION FILING OUTCOMES IN CALIFORNIA

According to our dataset, eviction filings in California exhibited a downward trend from FYs 2010–11 through 2023–24. This tracks with research that has found eviction filings rise and fall along with broader trends in economic stability, peaking when the economy is bad and stabilizing when the economy is good.²⁰ Just prior to the COVID-19 pandemic, in FY 2018–19, landlords filed nearly a third fewer evictions than in FY 2012–13 (the first fiscal year in the dataset where every county in California reported eviction filing data to the Judicial Council), a decline that followed economic recovery in the wake of the Great Recession. During the pandemic, eviction filings declined significantly, falling 28.72% from FY 2018–19 to FY 2019–20 and 72% from FY 2018–19 to FY 2020–21. This was due to the many state and local temporary eviction protections enacted in the wake of the pandemic. For example, between April 6 and September 1, 2020, the Judicial Council’s Emergency Rule 1 prevented courts from issuing writs of possession in cases regarding nonpayment of rent. This rule worked alongside so-called eviction moratoria²¹ in many California cities to almost halt legal evictions across the state—in FY 2020–21, only 35,727 eviction lawsuits were filed in California, *down from a pre-pandemic average of 157,701.*



TOP 10 COUNTIES BY TOTAL FILINGS (2010-2024)		RANKED
1.	Los Angeles	508,493
2.	San Bernardino	165,296
3.	Orange	112,108
4.	Riverside	109,199
5.	San Diego	107,932
6.	Sacramento	85,851
7.	Alameda	63,262
8.	Contra Costa	49,685
9.	Kern	46,740
10.	Santa Clara	46,621

TABLE 4: EVICTION FILINGS HEAT MAP (2010-24)

COUNTY	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	TOTAL
Alameda	7,984	7,547	6,556	6,000	5,544	4,857	4,275	4,123	3,964	2,692	373	843	2,164	6,340	63,262
Alpine	15	20	6	18	18	1	6	1	0	3	2	1	1	2	94
Amador	-	-	122	98	108	114	111	100	90	73	40	70	68	77	1,071
Butte	-	-	1,826	1,012	955	916	874	837	842	495	295	476	759	710	9,197
Calaveras	232	218	178	141	143	122	130	150	136	87	51	91	114	96	1,889
Colusa	46	64	48	39	35	41	39	61	46	31	13	36	36	32	567
Contra Costa	6,868	5,772	4,947	4,346	3,922	3,517	3,289	2,842	2,955	2,039	728	1,789	3,943	3,688	49,685
Del Norte	-	-	134	112	117	110	133	116	140	73	48	86	101	118	1,288
El Dorado	787	673	588	577	565	536	497	437	435	290	207	310	411	359	6,672
Fresno	-	-	5,290	4,796	4,614	4,492	4,197	3,815	3,648	2,299	1,153	2,230	3,726	3,309	43,469
Glenn	-	-	107	83	30	48	83	73	74	56	28	54	84	68	788
Humboldt	529	532	474	512	522	570	538	418	385	278	198	397	509	407	6,269
Imperial	-	-	618	450	424	359	388	394	367	240	105	259	346	304	4,254
Inyo	36	36	36	30	33	47	27	30	29	37	19	11	29	27	427
Kern	-	-	5,570	5,098	4,793	4,703	4,492	4,486	4,150	2,841	1,290	2,228	3,724	3,305	46,740
Kings	-	-	600	597	515	515	508	534	432	329	197	305	391	338	5,261
Lake	440	404	406	426	404	415	442	419	397	276	173	276	361	360	5,199
Lassen	116	124	143	126	104	100	89	112	95	73	25	51	88	93	1,339
Los Angeles	-	-	61,110	56,354	55,160	51,203	47,966	44,031	41,143	30,506	9,676	20,303	44,216	46,825	508,493
Madera	701	660	499	509	451	431	416	386	331	254	166	241	325	288	5,650
Marin	-	-	540	452	435	409	349	347	336	219	132	255	368	409	4,251
Mariposa	-	-	48	44	40	41	45	36	40	22	31	40	39	38	464
Mendocino	-	-	297	323	297	289	287	289	261	183	147	165	199	224	2,961
Merced	-	-	1,374	1,211	1,096	1,006	1,029	950	869	583	293	587	915	801	10,714
Modoc	10	21	23	17	8	13	20	28	26	12	10	22	22	24	256
Mono	-	-	23	24	13	25	14	31	25	8	11	13	7	19	213
Monterey	1,406	1,436	1,221	1,047	960	922	876	793	746	508	254	484	777	681	12,311
Napa	447	395	335	288	273	269	211	219	207	163	83	175	220	246	3,531
Nevada	-	-	245	221	206	238	207	197	210	155	117	177	202	207	2,382
Orange	-	-	12,573	11,305	11,321	10,816	10,385	9,661	9,247	6,934	3,285	6,235	10,910	9,436	112,108
Placer	-	-	991	853	823	740	686	646	653	447	235	448	696	655	7,873
Plumas	54	69	61	68	52	51	60	45	65	31	21	66	70	65	778
Riverside	-	-	13,776	12,530	11,577	11,147	10,458	9,759	8,949	6,109	2,401	5,124	9,228	8,141	109,199
Sacramento	-	-	10,259	10,132	9,395	8,380	7,822	7,163	6,673	4,533	1,777	4,345	7,816	7,556	85,851
San Benito	216	177	146	123	138	111	89	91	88	57	32	41	71	77	1,457
San Bernardino	19,413	17,001	16,070	14,500	13,758	13,023	12,141	11,350	10,836	7,312	2,796	6,205	10,520	9,571	165,296
San Diego	-	-	13,273	11,977	11,210	10,656	10,162	9,230	8,788	6,483	2,565	5,175	9,408	9,005	107,932
San Francisco	-	-	3,784	3,318	3,512	3,004	3,144	3,128	2,723	1,996	688	1,647	2,950	2,701	32,572
San Joaquin	4,791	4,471	3,986	3,799	3,781	3,527	3,563	3,201	2,926	1,997	701	1,639	2,843	2,603	43,078
San Luis Obispo	-	-	679	608	550	455	502	500	424	346	170	309	347	377	5,267
San Mateo	-	-	1,072	1,590	1,562	1,396	1,204	1,175	1,245	824	304	723	1,542	1,567	15,004
Santa Barbara	1,258	1,261	1,212	1,074	1,085	1,022	986	917	879	647	244	574	929	849	12,937
Santa Clara	5,578	5,130	4,329	3,811	3,602	3,133	2,806	2,800	2,898	1,888	866	1,686	4,041	4,063	46,621
Santa Cruz	765	682	626	480	488	482	412	407	379	260	168	267	381	295	6,092
Shasta	857	881	852	796	668	651	711	659	664	448	238	469	646	507	9,047
Sierra	-	-	13	5	6	7	7	10	7	0	6	3	3	3	70
Siskiyou	141	173	168	198	177	214	173	196	179	124	86	120	209	170	2,328
Solano	-	-	2,841	2,426	2,409	2,128	2,002	1,842	1,766	1,323	432	1,024	1,906	1,076	21,675
Sonoma	1,865	1,785	1,483	1,221	1,200	1,165	1,133	1,081	962	688	360	532	981	887	15,343
Stanislaus	3,395	3,268	2,729	2,511	2,422	2,210	2,062	1,743	1,002	1,317	766	1,297	1,629	1,506	28,657
Sutter	436	478	456	444	382	320	331	327	274	186	110	236	287	251	4,518
Tehama	399	363	352	330	294	373	238	266	277	231	108	182	256	230	3,899
Trinity	29	38	25	43	42	50	35	38	42	28	19	28	39	27	483
Tulare	2,316	2,291	2,104	1,898	1,920	1,773	1,728	1,600	1,447	1,025	521	1,066	1,363	1,169	22,261
Tuolumne	259	223	204	200	170	230	202	171	149	114	92	121	143	144	2,430
Ventura	3,204	3,049	2,727	2,406	2,445	2,278	2,100	1,974	1,793	1,350	586	1,187	1,985	1,021	20,985
Yolo	838	812	646	591	549	533	544	503	485	334	162	323	608	529	7,457
Yuba	525	477	439	490	464	361	330	404	308	234	123	253	333	262	5,003
All Counties (Statewide)	-	-	191,000	174,678	167,707	156,545	147,554	137,142	129,207	92,091	35,727	73,190	136,280	135,038	1,577,039

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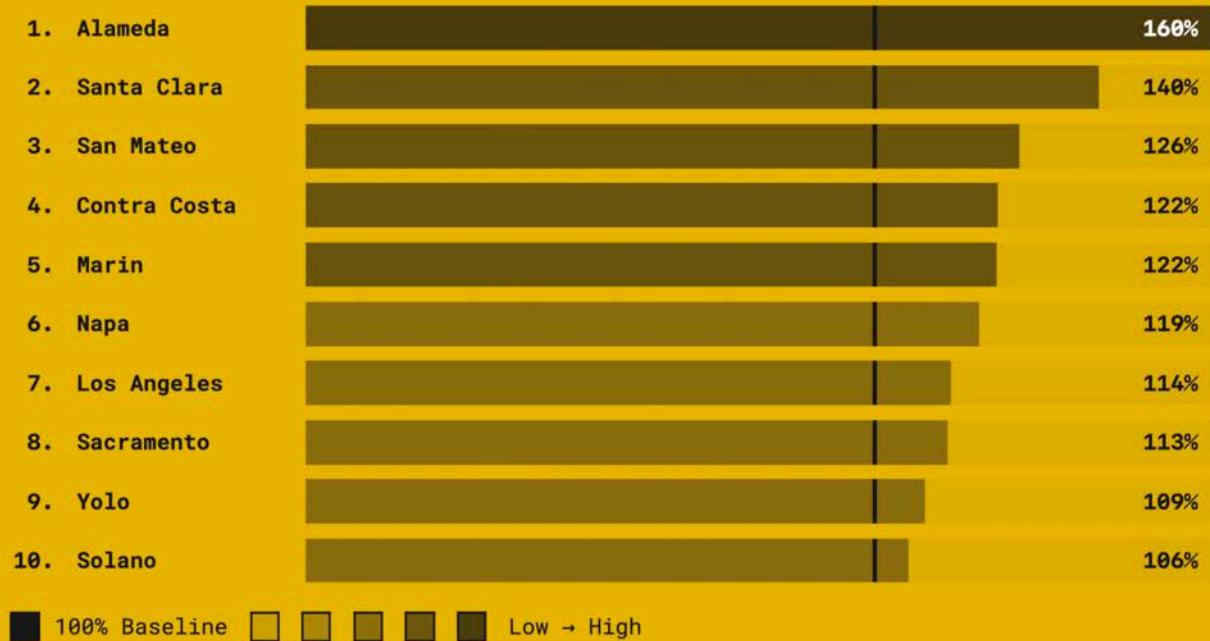
EVICTON FILINGS COUNTY MAP (2010-24)



EXCEEDING PRE-PANDEMIC LEVELS

RECOVERY INDEX

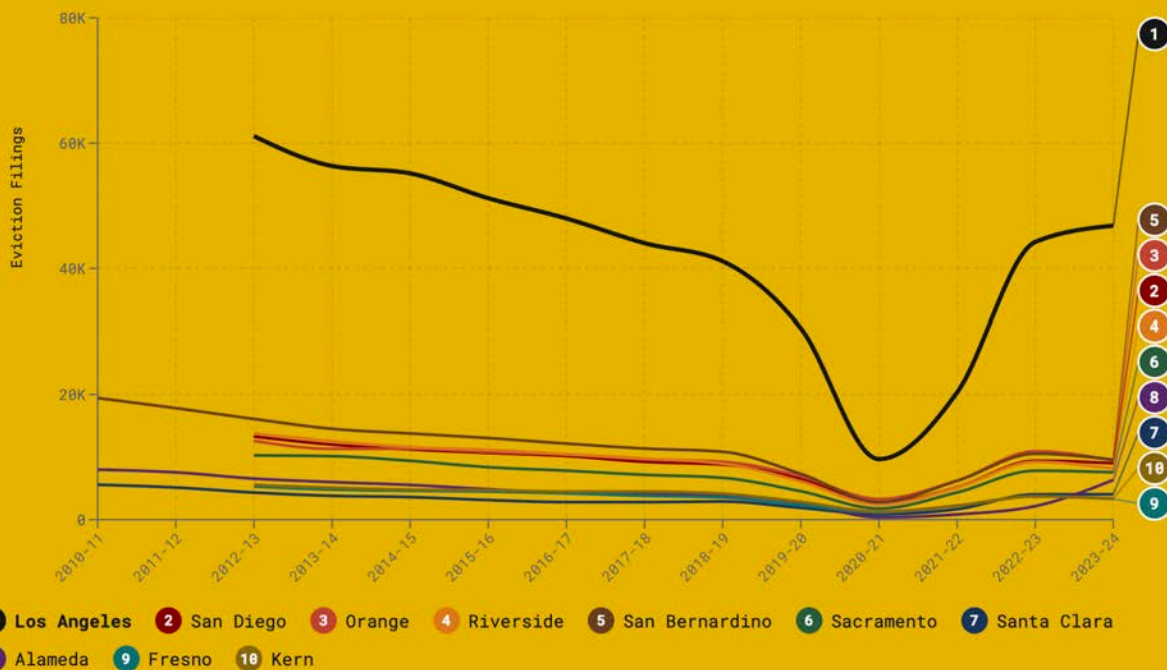
Multiple counties now file more evictions than before COVID-19. Alameda leads at 160%-filing 60% more cases than in FY2018-19.



EVICTON FILINGS BY COUNTY, FY2010-24

14-YEAR TREND

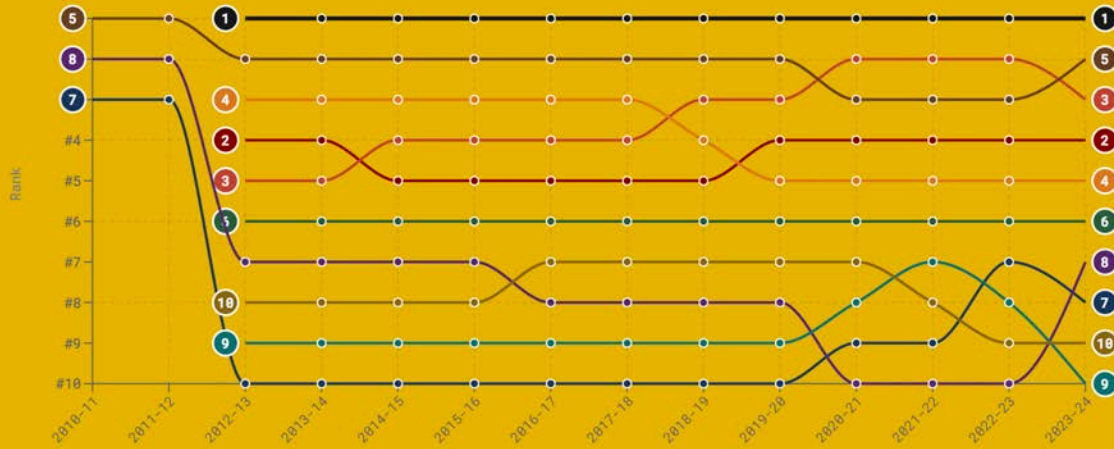
Los Angeles dominates with 46,825 filings in FY2023-24 alone. After pandemic lows, all major counties have returned to or exceeded pre-2020 levels.



SHIFTING RANKINGS: WHICH COUNTIES ARE GETTING WORSE

RELATIVE POSITION

Los Angeles has held the #1 position for eviction filings every year since data became complete in FY2012-13. Among California's 10 largest counties, Riverside has slipped from #3 to #5, while Orange (#5 → #3) and Santa Clara (#10 → #8) have each climbed two positions.

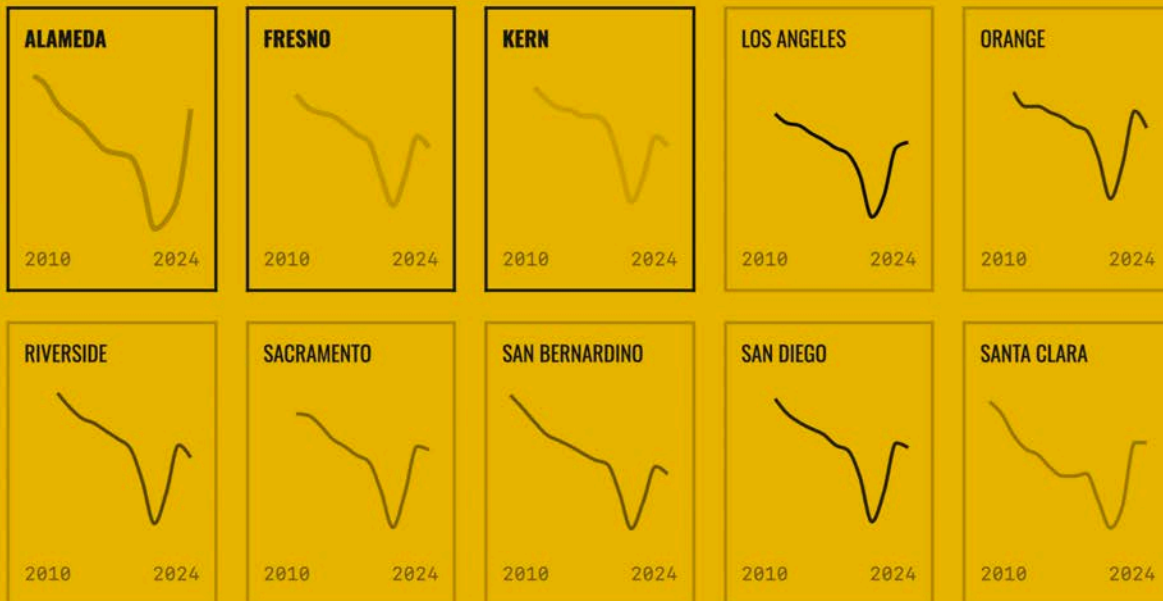


- 1 Los Angeles
- 2 San Diego
- 3 Orange
- 4 Riverside
- 5 San Bernardino
- 6 Sacramento
- 7 Santa Clara
- 8 Alameda
- 9 Fresno
- 10 Kern

COUNTY-BY-COUNTY EVICTION TRAJECTORIES

INDIVIDUAL PATTERNS

The pandemic created a brief reprieve in 2020-21, but filings have surged back. Alameda's spike is particularly sharp—a 60% increase from the previous year.



But, as temporary tenant protections began to expire in 2022, statewide eviction filings again began to rise. Without these policies in place, eviction filings increased by approximately 282% statewide between FY 2020–21 and FY 2022–23, radically reversing the downward trend. This reversal is especially concerning because statewide filings in FY 2022–23 and FY 2023–24 are the highest they have been in six years—since before the passage of California’s Tenant Protection Act of 2019, an influx of new local protections throughout the state, and the creation of tenants’ right to counsel pilot programs in Los Angeles, Kern, and San Francisco Counties. All of these policies are designed to prevent homelessness, but even with these efforts, eviction filings have surged back to levels reflecting a time without these policies. Thus, it is hard not to see the post-pandemic trend upward as a step backward for state and local governments’ efforts to prevent homelessness and keep tenants housed.



And still, despite the concerning upward trend of filings statewide since the pandemic, eviction filing rates (eviction filings per 100 renter households) in California counties are still quite low compared to those of many large U.S. cities.²² Per the Eviction Lab’s Top Evicting Areas rankings, an area would rank in the top-100 with an eviction rate of 2.9 filings per 100 renter households, in the top-50 with an eviction rate of 4.6 filings per 100 renter households, and in the top-25 with an eviction rate of 6.0 filings per 100 renter households. Table 5 shows eviction filing rates for every county in California for 14 years according to the Eviction Lab’s top-100, top-50, and top-25 eviction rate thresholds.²³

Over this 14 year period, only three counties had eviction rates high enough to be in the top-25: Amador (FYs 2010–15 and FY 2016–17),²⁴ Riverside (FY 2012–13), and San Bernardino (FYs 2010–14). Over the last five years of data, however, no county in California has had an eviction rate over the Eviction Lab’s top-50 threshold; in fact, only Amador, Calaveras, Del Norte, Kern, Lake, Lassen, Modoc, Plumas, Riverside, Sacramento, San Bernardino, San Joaquin, Siskiyou, Solano, Tehama, and Yuba have had fiscal years with three or more evictions per 100 renter households. Of these counties, only Kern, Riverside, Sacramento, San Bernardino, San Joaquin, and Solano have high volumes of eviction filings, each averaging more than 1000 eviction filings annually during the study period.

TABLE 5: CA COUNTIES' EVICTION FILING RATES (PER 100 RENTAL HOUSEHOLDS)

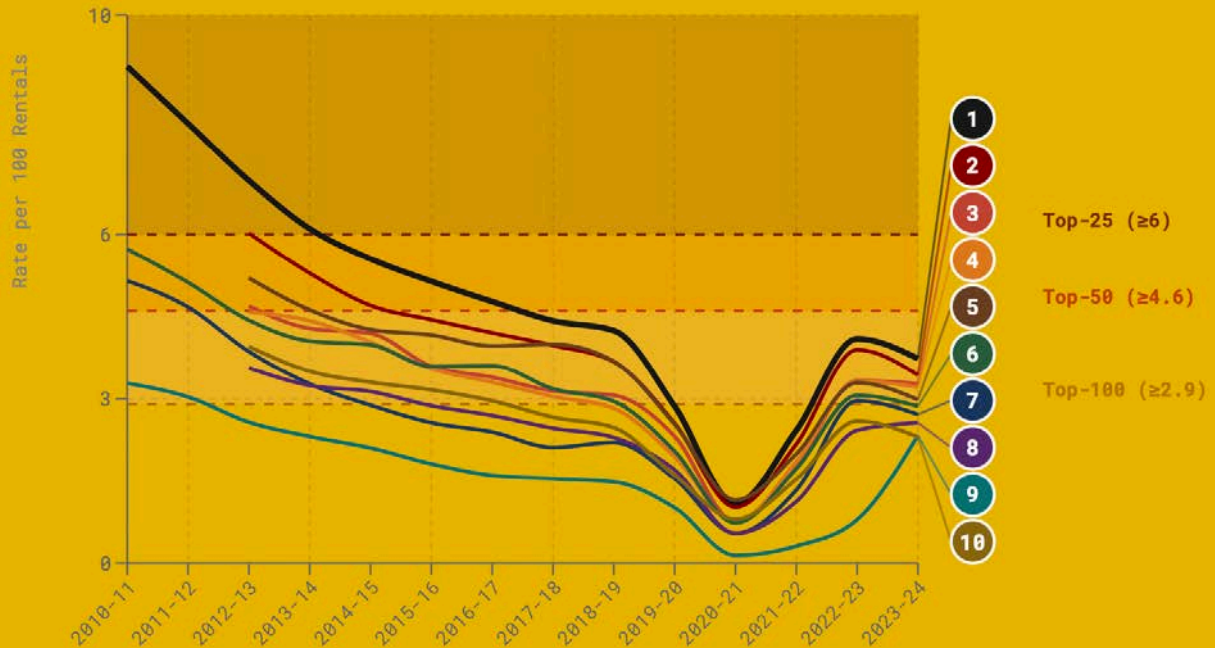
COUNTY	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
Alameda	3.3	3.0	2.6	2.3	2.1	1.8	1.6	1.5	1.5	1.0	0.1	0.3	0.8	2.3
Alpine	-	-	3.6	2.9	3.2	3.3	3.4	3.0	2.6	2.1	1.2	2.1	2.1	2.4
Amador	21.4	27.0	8.2	26.1	23.7	1.6	11.8	2.1	0.0	4.0	2.5	1.3	1.1	2.2
Butte	-	-	3.0	2.9	2.7	2.6	2.5	2.4	2.4	1.5	0.8	1.4	2.2	2.1
Calaveras	6.8	5.6	4.4	3.6	3.8	3.0	3.4	3.9	3.6	2.5	1.6	3.0	4.1	3.4
Colusa	1.8	2.6	1.9	1.6	1.3	1.7	1.5	2.2	1.6	1.2	0.5	1.3	1.3	1.1
Contra Costa	6.2	4.7	3.9	3.3	2.9	2.6	2.4	2.1	2.2	1.5	0.5	1.3	3.0	2.7
Del Norte	-	-	3.5	2.9	3.1	3.0	3.6	3.1	3.8	2.4	1.6	2.8	3.6	4.3
El Dorado	4.6	4.0	3.4	3.3	3.3	3.2	3.1	2.7	2.5	1.6	1.2	1.7	2.3	2.0
Fresno	-	-	4.0	3.5	3.3	3.2	3.0	2.7	2.5	1.6	0.8	1.5	2.6	2.3
Glenn	-	-	3.0	2.3	0.8	1.1	2.0	1.8	1.8	1.3	0.7	1.4	2.3	1.9
Humboldt	2.3	2.3	2.0	2.1	2.2	2.4	2.3	1.8	1.6	1.2	0.9	1.7	2.1	1.7
Imperial	-	-	2.9	2.2	2.0	1.8	2.0	2.1	2.0	1.3	0.6	1.3	1.6	1.4
Inyo	1.2	1.2	1.3	1.0	1.2	1.7	0.9	1.0	1.1	1.3	0.7	0.4	1.1	1.0
Kern	-	-	5.2	4.6	4.3	4.2	4.0	4.0	3.7	2.5	1.1	2.0	3.3	3.0
Kings	-	-	3.0	3.0	2.5	2.5	2.5	2.6	2.1	1.6	1.0	1.6	2.0	1.7
Lake	4.9	4.2	4.1	4.3	4.0	4.3	4.9	4.8	4.6	3.4	2.1	3.4	4.7	4.7
Lassen	3.3	3.3	3.9	3.5	3.1	3.0	2.8	3.7	3.2	2.5	0.9	1.8	3.1	3.2
Los Angeles	-	-	3.6	3.2	3.1	2.9	2.7	2.5	2.3	1.7	0.5	1.1	2.4	2.6
Madera	4.4	4.1	3.0	3.0	2.7	2.5	2.5	2.4	2.0	1.7	1.1	1.6	2.1	1.9
Marin	-	-	1.4	1.2	1.1	1.1	0.9	0.9	0.9	0.6	0.3	0.7	1.0	1.1
Mariposa	-	-	2.3	2.2	1.9	1.9	2.1	1.5	1.7	0.9	1.4	2.0	2.0	2.0
Mendocino	-	-	2.1	2.2	2.1	1.9	2.1	2.1	1.9	1.4	1.1	1.2	1.5	1.7
Merced	-	-	3.9	3.3	2.9	2.7	2.7	2.5	2.3	1.5	0.7	1.5	2.3	2.0
Modoc	0.8	2.0	1.9	1.6	0.8	1.4	2.0	3.3	2.9	1.4	1.1	2.6	3.0	3.2
Mono	-	-	1.0	1.0	0.7	1.1	0.7	1.7	1.5	0.5	0.6	0.8	0.4	1.1
Monterey	2.6	2.3	1.9	1.7	1.5	1.5	1.4	1.3	1.2	0.8	0.4	0.8	1.2	1.1
Napa	2.5	2.1	1.7	1.5	1.4	1.4	1.2	1.2	1.2	1.0	0.5	1.0	1.2	1.4
Nevada	-	-	2.2	2.0	1.8	2.1	2.0	1.9	2.0	1.5	1.2	1.7	1.9	1.9
Orange	-	-	3.1	2.7	2.6	2.5	2.4	2.2	2.1	1.6	0.7	1.4	2.3	2.0
Placer	-	-	2.5	2.2	2.0	1.8	1.7	1.6	1.6	1.1	0.6	1.1	1.7	1.6
Plumas	1.9	2.6	2.2	2.8	2.3	2.1	2.6	2.1	2.8	1.4	0.9	3.2	3.5	3.2
Riverside	-	-	6.0	5.3	4.7	4.4	4.2	4.0	3.7	2.5	1.0	2.2	3.9	3.4
Sacramento	-	-	4.6	4.4	4.0	3.5	3.3	3.0	2.8	1.9	0.8	1.9	3.3	3.2
San Benito	3.5	2.9	2.2	1.9	2.1	1.7	1.4	1.4	1.3	0.9	0.5	0.6	1.1	1.2
San Bernardino	9.1	8.0	7.0	6.1	5.5	5.1	4.8	4.4	4.2	2.9	1.1	2.4	4.1	3.7
San Diego	-	-	2.7	2.4	2.2	2.0	1.9	1.8	1.7	1.2	0.5	1.0	1.8	1.7
San Francisco	-	-	1.7	1.5	1.6	1.3	1.4	1.4	1.2	0.9	0.3	0.7	1.3	1.3
San Joaquin	5.7	5.1	4.4	4.0	4.0	3.6	3.6	3.2	3.0	2.0	0.7	1.7	3.1	2.9
San Luis Obispo	-	-	1.6	1.4	1.3	1.1	1.2	1.2	1.0	0.9	0.4	0.8	0.8	0.9
San Mateo	-	-	1.8	1.5	1.5	1.3	1.1	1.1	1.2	0.8	0.3	0.7	1.4	1.4
Santa Barbara	1.9	1.9	1.8	1.6	1.6	1.5	1.4	1.3	1.3	0.9	0.3	0.8	1.3	1.2
Santa Clara	2.3	2.0	1.7	1.4	1.3	1.1	1.0	1.0	1.0	0.7	0.3	0.6	1.4	1.4
Santa Cruz	2.0	1.8	1.6	1.2	1.2	1.2	1.1	1.1	1.0	0.7	0.4	0.7	1.0	0.8
Shasta	3.6	3.7	3.5	3.1	2.6	2.5	2.7	2.6	2.6	1.8	0.9	1.9	2.6	2.0
Sierra	-	-	4.7	1.6	2.2	2.8	2.9	4.3	2.1	0.0	2.5	1.5	1.1	1.1
Siskiyou	2.0	2.5	2.3	2.8	2.5	3.1	2.6	3.0	2.7	1.9	1.4	2.0	3.6	3.0
Solano	-	-	4.7	4.3	4.2	3.6	3.4	3.1	3.1	2.3	0.8	1.8	3.3	3.3
Sonoma	2.6	2.5	2.0	1.6	1.6	1.5	1.5	1.5	1.3	0.9	0.5	0.7	1.4	1.2
Stanislaus	5.3	4.8	3.9	3.5	3.3	3.0	2.8	2.4	2.5	1.8	1.1	1.9	2.4	2.2
Sutter	3.5	3.8	3.6	3.4	2.9	2.3	2.4	2.4	2.0	1.4	0.8	1.8	2.1	1.9
Tehama	4.7	4.4	4.6	4.5	3.8	4.7	3.1	3.1	3.3	2.8	1.3	2.3	3.2	2.9
Trinity	1.8	2.4	1.5	2.6	2.5	2.8	2.0	2.0	2.3	1.5	1.2	1.8	2.7	1.9
Tulare	4.4	4.3	3.9	3.4	3.3	3.0	2.9	2.7	2.4	1.7	0.9	1.8	2.3	2.0
Tuolumne	4.0	3.3	3.1	3.0	2.4	3.2	3.0	2.5	2.3	1.9	1.6	2.1	2.4	2.4
Ventura	3.5	3.3	2.9	2.5	2.5	2.3	2.2	2.0	1.8	1.4	0.6	1.2	2.0	1.8
Yolo	2.6	2.5	1.9	1.8	1.6	1.5	1.6	1.4	1.4	0.9	0.4	0.9	1.7	1.5
Yuba	5.4	4.9	4.4	4.7	4.4	3.4	3.0	3.7	3.0	2.3	1.2	2.4	3.2	2.5

National Benchmark: Below Top-100 Top-100 (≥2.9) Top-50 (≥4.6) Top-25 (≥6.0)

PERSISTENT CRISIS: COUNTIES ABOVE NATIONAL THRESHOLDS

TOP 10 BY RATE

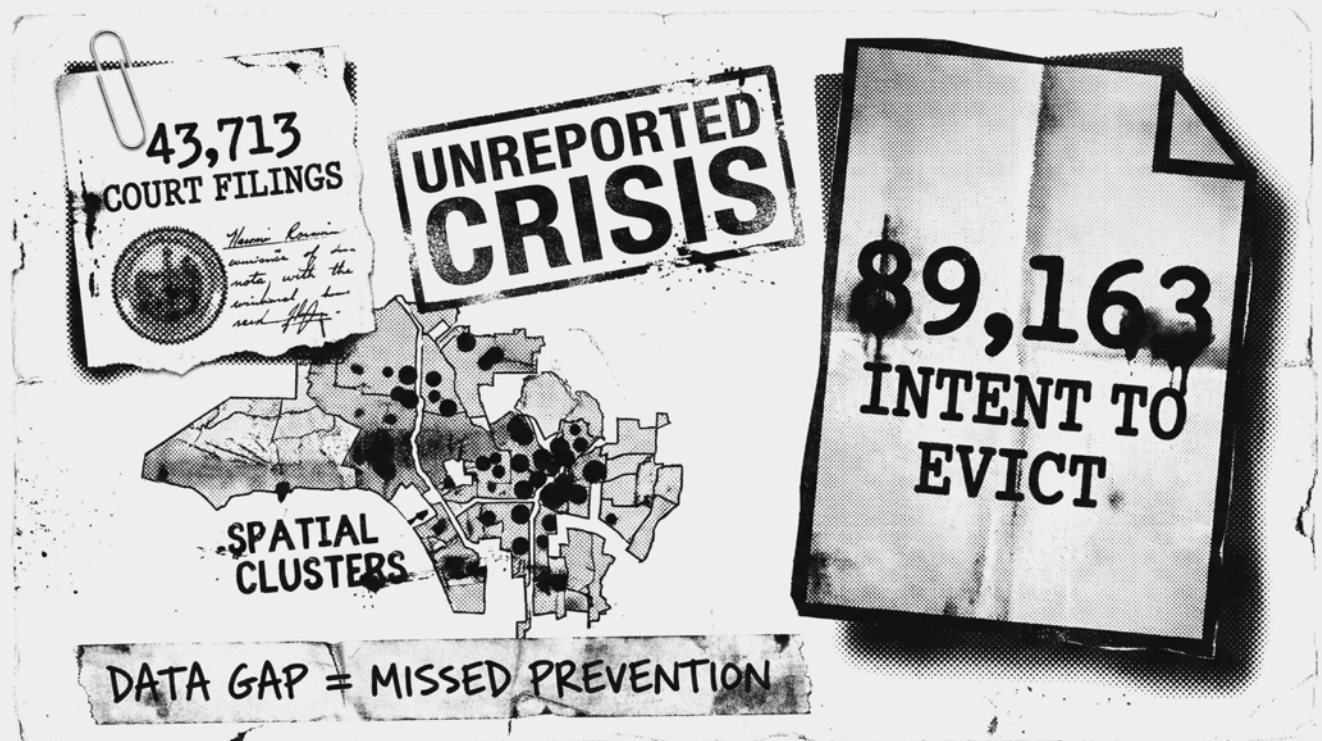
The shaded bands mark Eviction Lab's national benchmarks: a county landing inside the dark band ranks among the nation's **Top-25** highest-evicting jurisdictions; the medium band marks the **Top-50**, and the light band the **Top-100**. San Bernardino and Riverside have stayed inside Top-100 territory almost every year – these aren't spikes, they're chronic conditions. Counties with fewer than 500 annual filings are excluded.



- 1 San Bernardino
- 2 Riverside
- 3 Solano
- 4 Sacramento
- 5 Kern
- 6 San Joaquin
- 7 Contra Costa
- 8 Los Angeles
- 9 Alameda
- 10 Fresno

KEY FINDINGS

- **Lake County** has maintained Top-50 status for 14 consecutive years, peaking at 4.93 in 2016-17.
- **San Bernardino** started in Top-25 territory (9.06 per 100 in 2010-11) and remains in Top-50 today.
- The pandemic moratorium temporarily pushed most counties below benchmarks in 2020-21—then rates snapped back.
- Only a handful of counties—**Marin, Santa Cruz, Mono**—have consistently stayed below national benchmarks.



On the other hand, it seems beyond debate that California is in the midst of intersecting housing affordability and homelessness crises. Thus, comparatively low county filing rates obscure the reality that there are far more tenancies at risk of eviction than advocates and policymakers think. For example, while Los Angeles County only reported 43,713 eviction filings in calendar year (CY) 2024,²⁵ the City of Los Angeles Housing Department reported that landlords filed 89,163 Notices of Intent to Evict during the same period. In Los Angeles, therefore, it is clear that not all landlords who express “intentions to evict” file eviction lawsuits. Local nuances like these only compound the broader problem of not having data on eviction outcomes for policymakers hoping to prevent homelessness.²⁶ It is possible, for example, that notices of intent and eviction filings are spatially clustered differently in ways that obscure the precise location where policymakers should concentrate finite homelessness prevention resources.

Data explaining discrepancies like these would be even more helpful for advocates and policymakers crafting interventions to meaningfully prevent evictions, but complete data on eviction outcomes (ideally aggregated to the zip code level, as will be discussed later) would be an important step to improve currently existing data at a much larger spatial scale.



B. BEFORE AND AFTER TRIAL OUTCOMES IN CALIFORNIA

Once an eviction lawsuit is filed, it results in an eviction outcome on a spectrum of default (losing a case by not filing an Answer or not attending a trial date) to a bench trial judgment or jury verdict. For simplicity's sake, this spectrum of possible outcomes includes: defaults, dismissals, settlements, and trials. The analysis below only includes data from counties that had full coverage of eviction filings and eviction outcomes over 14 fiscal years, which includes data from a total of 815,612 cases (see tables in Appendix 1 and 2 for more information on coverage criteria).

TABLE 6: EVICTION OUTCOMES AMONG COUNTIES REPORTING COMPLETE DATA

YEAR	COUNTIES	FILINGS	DISPOSITIONS	DEFAULT	NEGOTIATED	BENCH TRIAL	JURY TRIAL	ALL TRIAL	DISMISSALS	OTHER
2010-11	33	65,356	66,774	32,412	3,130	8,672	14	8,686	20,970	1,576
2011-12	33	61,331	63,338	29,867	3,930	8,764	9	8,773	19,394	1,374
2012-13	37	82,476	85,267	40,100	6,231	11,197	16	11,213	26,054	1,666
2013-14	38	74,612	79,318	38,116	6,282	9,197	13	9,210	24,350	1,360
2014-15	39	71,627	72,419	34,127	6,253	8,705	17	8,722	21,504	1,763
2015-16	40	76,293	78,824	37,970	6,334	8,613	14	8,627	24,471	1,422
2016-17	42	61,236	60,847	29,186	4,847	6,267	13	6,280	20,272	1,062
2017-18	43	68,764	69,196	32,451	5,787	7,839	9	7,848	21,890	1,220
2018-19	35	51,379	52,074	24,066	4,249	5,153	5	5,158	10,464	747
2019-20	38	30,639	31,935	13,712	2,438	3,149	9	3,158	12,235	392
2020-21	41	14,360	15,859	6,417	827	1,502	2	1,504	6,722	389
2021-22	47	35,758	27,126	12,202	2,424	2,576	8	2,584	9,278	638
2022-23	51	62,104	56,294	24,993	6,507	4,885	16	4,901	10,523	1,370
2023-24	50	57,715	55,741	25,049	6,024	3,805	17	3,822	20,301	545
TOTAL	41	813,650	815,612	380,668	64,463	90,374	162	90,536	264,418	15,524

Intensity (per column): Low - High

TABLE 7A: EVICTION OUTCOMES AMONG COUNTIES REPORTING COMPLETE EVICTION OUTCOME DATA TO THE JUDICIAL COUNCIL (PERCENTAGES)

YEAR	% COUNTIES REPORTING OUTCOMES	DISPOSITIONS	DISPOSITION STAGE (Sum to 100%)		DEFAULT BREAKDOWN (T1 + T2 = All Default)			TRIAL BREAKDOWN (Bench + Jury = All Trial)		
			BEFORE TRIAL	AFTER TRIAL	DEFAULT T1	DEFAULT T2	ALL DEFAULT	BENCH TRIAL	JURY TRIAL	ALL TRIAL
2010-11	57%	66,774	82.72%	17.28%	46.28%	2.26% ▲	48.54% ▲	12.99%	0.02%	13.01%
2011-12	57%	63,338	82.27%	17.73% ▲	45.89%	1.26%	47.15%	13.84% ▲	0.01%	13.85% ▲
2012-13	64%	85,267	83.07%	16.93%	45.65%	1.38%	47.03%	13.13%	0.02%	13.15%
2013-14	66%	79,318	84.26%	15.74%	46.34% ▲	1.71%	48.05%	11.60%	0.02%	11.61%
2014-15	67%	72,419	83.32%	16.68%	45.00%	2.13%	47.12%	12.09%	0.02%	12.11%
2015-16	69%	78,824	85.05%	14.95%	46.18%	1.99%	48.17%	10.93%	0.02%	10.94%
2016-17	72%	60,847	85.47%	14.53%	46.28%	1.69%	47.97%	10.30%	0.02%	10.32%
2017-18	74%	69,196	84.98%	15.02%	45.38%	1.51%	46.90%	11.33%	0.01%	11.34%
2018-19	60%	52,074	86.44%	13.56%	44.36%	1.33%	45.69%	9.78%	0.01%	9.79%
2019-20	66%	31,935	86.28%	13.72%	41.99%	0.95%	42.94%	9.86%	0.03% ▲	9.89%
2020-21	71%	15,859	87.17%	12.83%	40.02%	0.45%	40.46%	9.47%	0.01%	9.48%
2021-22	79%	27,126	86.55%	13.45%	43.97%	1.02%	44.98%	9.50%	0.03% ▲	9.53%
2022-23	88%	56,294	86.60%	13.40%	42.81%	1.58%	44.40%	8.68%	0.03% ▲	8.71%
2023-24	86%	55,741	87.91% ▲	12.09%	42.94%	2.00%	44.94%	6.83%	0.03% ▲	6.86%
TOTAL	70%	815,612	84.76%	15.24%	45.03%	1.64%	46.67%	11.08%	0.02%	11.10%

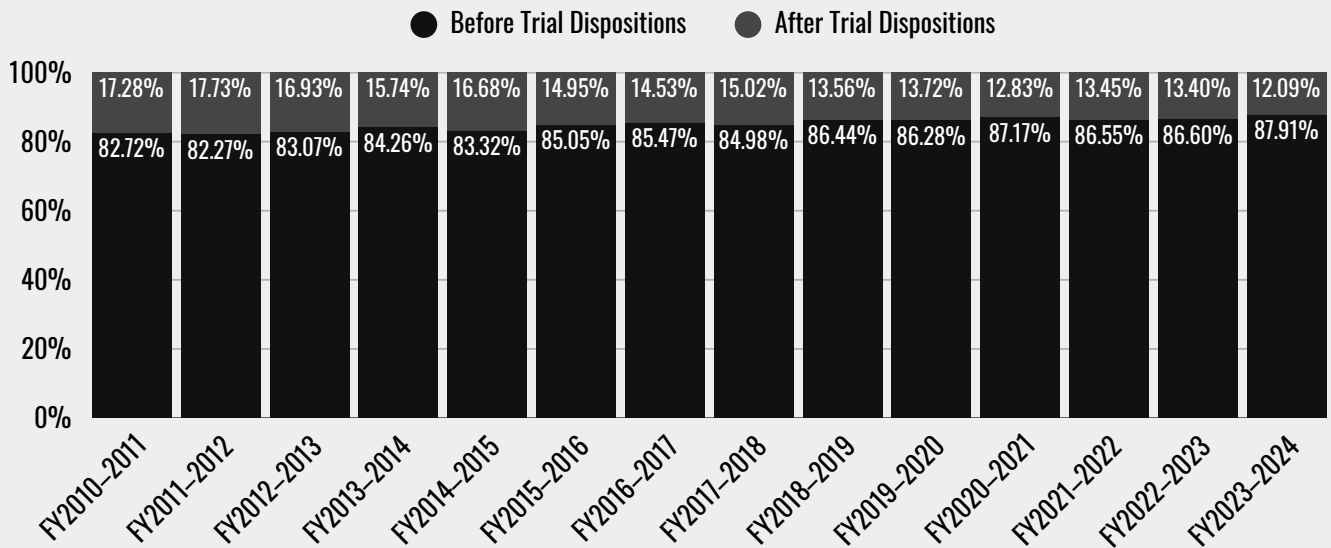
Color scale: 0% → column peak (100%) ▲ = column peak year

TABLE 7B: OUTCOME DISTRIBUTION — SUMS TO 100% (PERCENTAGES)

YEAR	% COUNTIES REPORTING OUTCOMES	DISPOSITIONS	OUTCOME DISTRIBUTION (Sums to 100%)				
			ALL DEFAULT	NEGOTIATED	ALL TRIAL	DISMISSALS	OTHER
2010-11	57%	66,774	48.54% ▲	4.69%	13.01%	31.40%	2.36%
2011-12	57%	63,338	47.15%	6.20%	13.85% ▲	30.62%	2.17%
2012-13	64%	85,267	47.03%	7.31%	13.15%	30.56%	1.95%
2013-14	66%	79,318	48.05%	7.92%	11.61%	30.70%	1.71%
2014-15	67%	72,419	47.12%	8.63%	12.11%	29.69%	2.43%
2015-16	69%	78,824	48.17%	8.04%	10.94%	31.05%	1.80%
2016-17	72%	68,847	47.97%	6.65%	10.32%	33.32%	1.75%
2017-18	74%	69,196	46.98%	8.36%	11.34%	31.63%	1.76%
2018-19	68%	52,674	45.69%	8.07%	9.79%	35.03%	1.42%
2019-20	66%	31,935	42.94%	7.63%	9.89%	38.31%	1.23%
2020-21	71%	15,859	40.46%	5.21%	9.48%	42.39% ▲	2.45% ▲
2021-22	79%	27,126	44.98%	8.94%	9.63%	34.20%	2.35%
2022-23	88%	56,294	44.40%	11.56% ▲	8.71%	32.90%	2.43%
2023-24	86%	55,741	44.94%	10.81%	6.86%	36.42%	0.98%
TOTAL	78%	815,612	46.67%	7.90%	11.10%	32.42%	1.90%

As Figure 4 shows, most eviction outcomes occurred before trial (691,333 before vs. 124,276 after), and the distribution of outcomes year to year was remarkably stable, not even changing much during the COVID-19 pandemic when temporary eviction protections were in place.

FIGURE 4
Eviction Outcome Timing in Counties Reporting Complete Data



On average, 85.15% eviction outcomes occurred prior to trial and 14.85% occurred after. In this way, eviction lawsuits are similar to most forms of civil and criminal litigation, insofar as the vast majority of cases are resolved prior to trial.²⁷ However, these distinctions alone tell us very little about how cases are resolved before and after trial. This matters because different policy interventions to reduce the likelihood of tenants losing their homes depend on where a case is within the timeline discussed above.

C. DEFAULT AND AN EPIDEMIC OF CIVIL INJUSTICE

Since the distribution of eviction case outcomes has been relatively stable, we can make some general conclusions about how evictions were processed by courts in the counties that report data to the Judicial Council. As Figure 5 shows, the most frequent eviction outcomes statewide were defaults (a period average of 46.02%) and dismissals (a period average of 33.44%), comprising a period average of nearly 80% of total outcomes. Trial outcomes (a period average of 10.76%) and negotiated outcomes (a period average of 7.86%), by contrast, were comparatively rare.

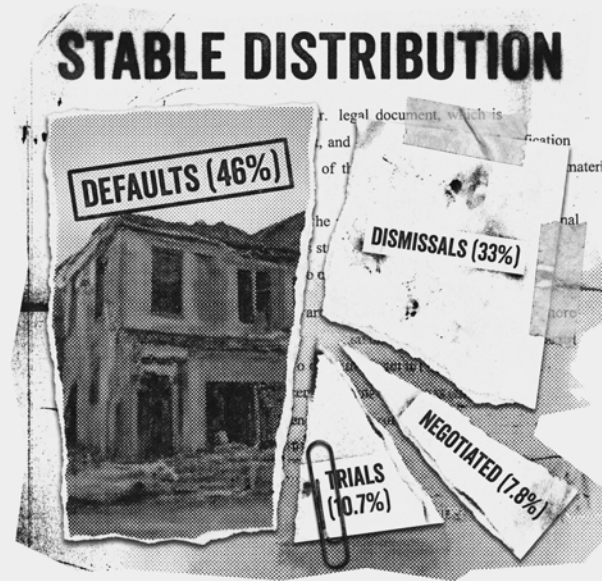


FIGURE 5: EVICTION CASE OUTCOMES IN COUNTIES REPORTING COMPLETE DATA TO JUDICIAL COUNCIL

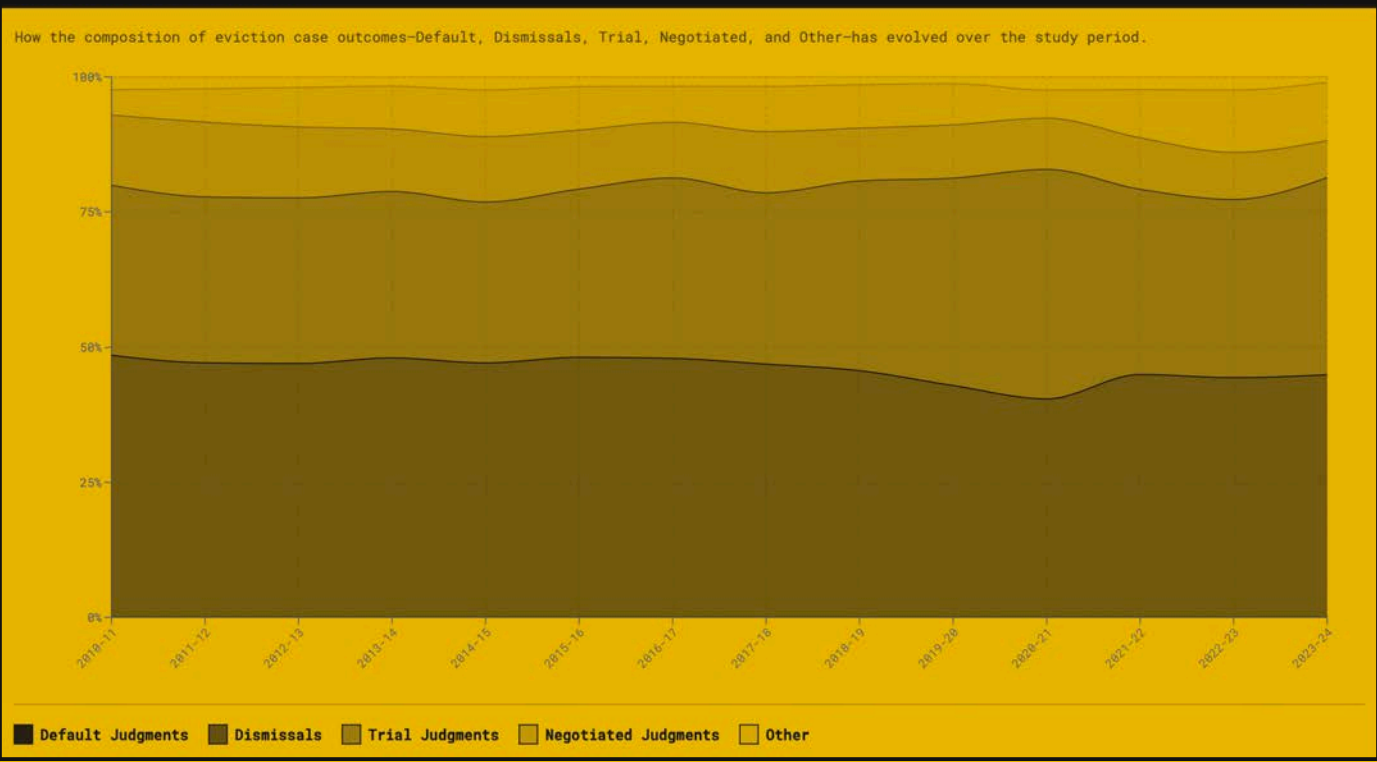
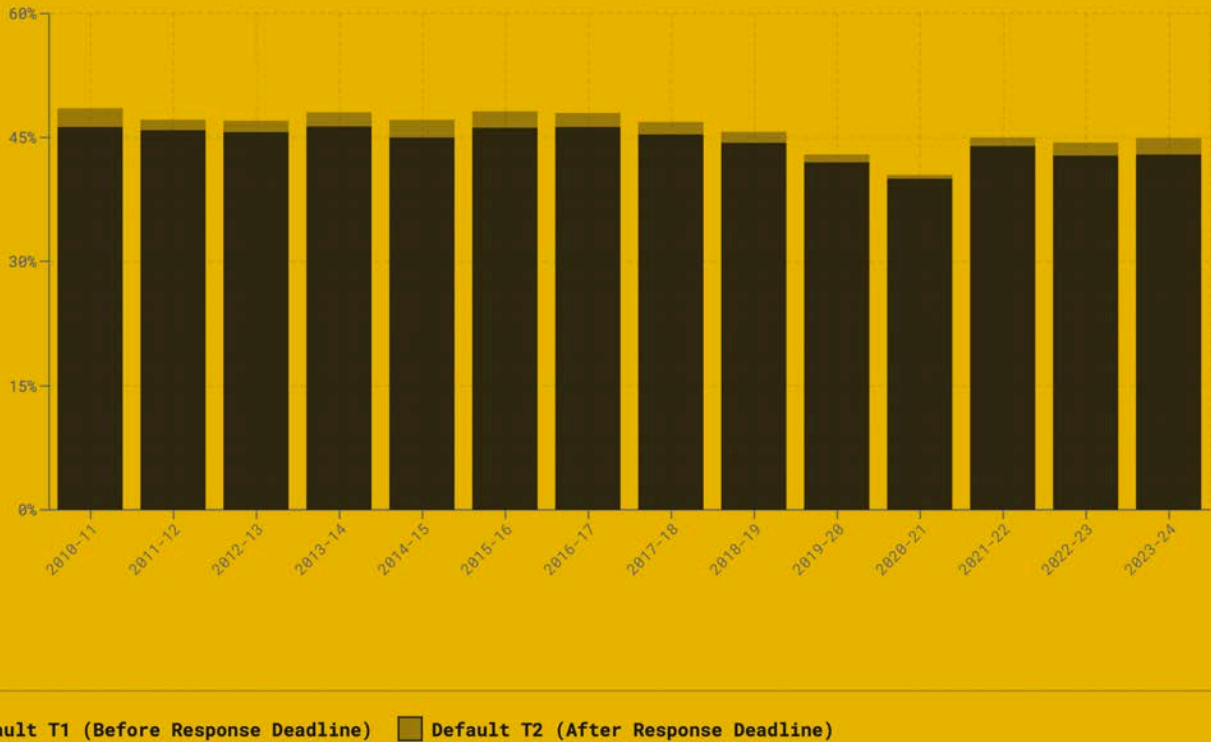


FIGURE 6: DEFAULT OUTCOMES IN COUNTIES REPORTING COMPLETE DATA TO JUDICIAL COUNCIL

Default judgments split by timing: T1 (before response deadline) vs T2 (after response deadline). T1 defaults consistently dominate, meaning most tenants never even file a response.

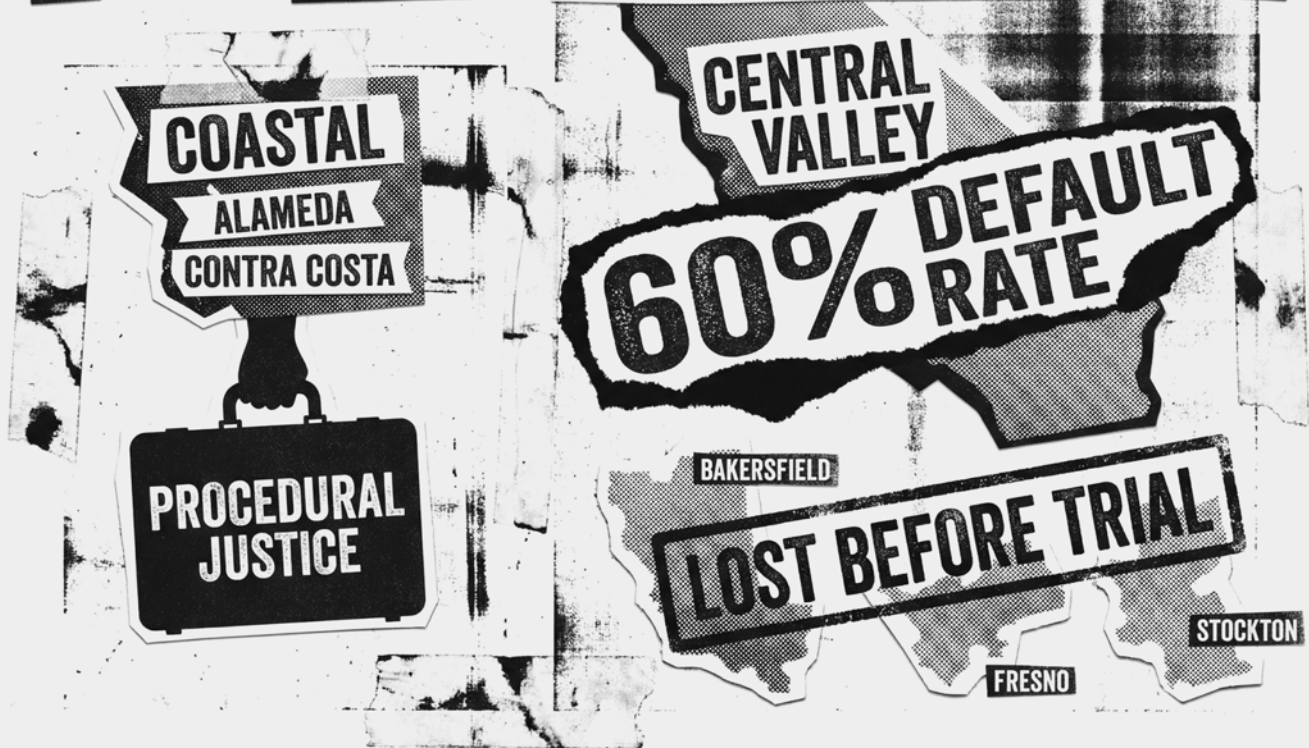


Looking more closely at the two types of defaults reveals the extent to which eviction courts are sites of civil injustice. In Figure 6, it is clear that nearly all defaults occurred at T1 (96.49%), a result of tenants not responding to landlords' eviction lawsuits within the mandated five-day time period. (Due to a policy change in 2024, tenants now have 10 days to respond, so it will be interesting to see if default rates decrease over time.) While it is bad enough that nearly half of eviction lawsuits culminated in default judgments against tenants, even worse is the fact that nearly 97% of these default outcomes occurred at T1.

This means that the vast majority of these tenants lost their cases before their first court date. Furthermore, since we do not have outcome data from counties accounting for more than half of eviction filings, it is entirely possible that default rates are even higher than they appear in our dataset.

This finding reflects a bleak reality—a civil injustice—that tenants face significant procedural inequality in California's superior court system. Furthermore, since the vast majority of eviction-related tenant protections are designed to function as defenses in court, this means that almost half of tenants who face eviction in California never even get the chance to assert their rights in court.

THE TWO CALIFORNIAS



An examination of default outcomes across individual counties reveals significant variation. Many of California's most populous counties do not report data about eviction outcomes (Los Angeles, Sacramento, and San Diego, among others), so some of this variation is driven by less populous counties with comparatively fewer eviction filings. But five counties with over an average of 1,000 eviction filings annually, had period averages for defaults over 50%: Stanislaus (62.41%), Fresno (56.99%), San Joaquin (54.61%), Santa Clara (50.50%), and Kern (50.14%). This suggests that the majority of tenants in large cities such as Bakersfield, Fresno, Modesto, Stockton, and San Jose, among others, lost their eviction lawsuits before their first court dates.

On the other hand, some California counties have comparatively fewer default evictions. In Alameda (32.03%) and Contra Costa (37.35%), defaults make up less than 40% of eviction outcomes over the period. Ventura (40.48%), Sonoma (43.09%), and Orange (44.16%) round out the bottom five period averages. Based on this comparison, it seems as though tenants in more resourced counties may have more access to procedural justice in courts than tenants in the Central Valley and Inland Empire. Some of this discrepancy likely has to do with factors like local tenant protection laws and access to eviction defense lawyers, but without better data it is impossible to say for sure.

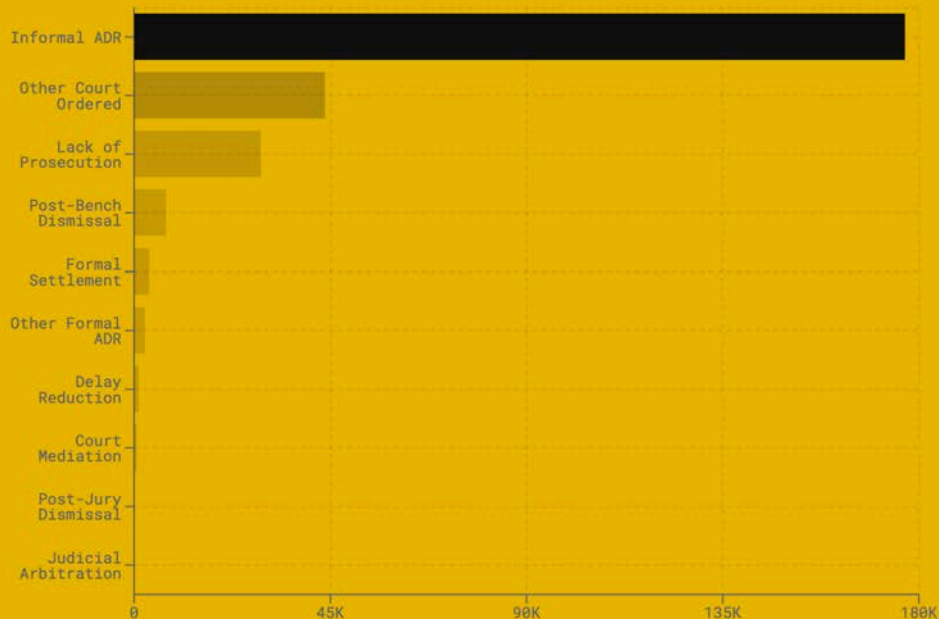
D. DISMISSED CASES

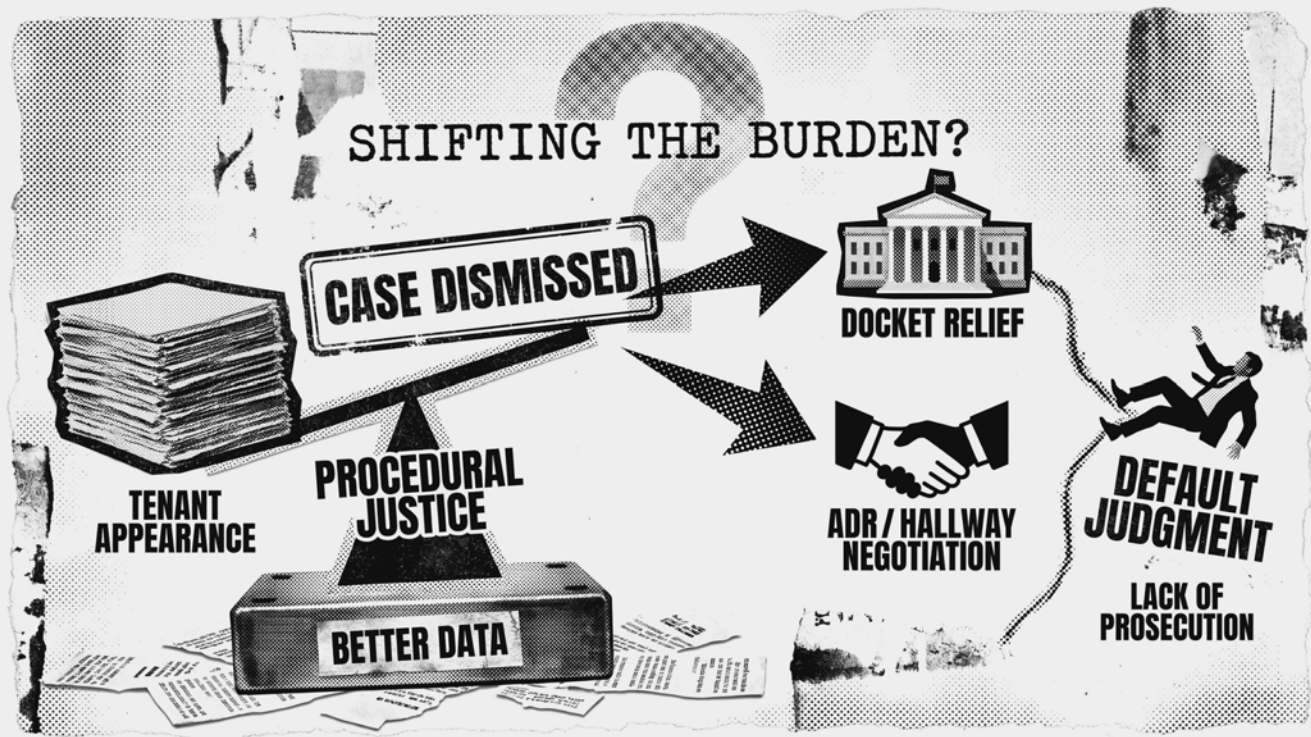
After defaults, the most frequent outcome of eviction lawsuits across the state is dismissals. Since only landlords (and, in some cases, courts) may request that a case be dismissed, these cases include examples like landlords realizing that they will not be able to win a jury trial and dismissing, landlords realizing that they made a technical error in a filing and dismissing, and landlords and tenants agreeing outside of court to dismiss a case, among others. Though the Judicial Council dataset has some significant holes in coverage, we are able to identify some interesting trends with the data that we are able to access.

Generally and relative to other eviction case outcomes, the percentage of cases dismissed statewide was relatively stable between FYs 2010–18 before it began to increase in FY 2018–19, perhaps related to the Tenant Protection Act (TPA) of 2019. This is because the TPA extended just-cause eviction protections to localities where landlords previously were not required to have a reason to evict. Unsurprisingly, dismissals peaked during the COVID-19 pandemic, when temporary eviction protections restricted courts from issuing writs of possession and gave tenants more affirmative defenses to use at trial. Additionally, tenants during this period had significantly more access to courts through pandemic-era accommodations (e.g., court hearings were conducted remotely).

FIGURE 7: DISMISSAL TYPES IN COUNTIES REPORTING COMPLETE DATA TO JUDICIAL COUNCIL, 2010-2024

Not all dismissals are alike. Informal ADR (alternative dispute resolution) accounts for two-thirds of all dismissals, followed by court-ordered dismissals and lack of prosecution.





One way to interpret this trend is that these very basic protections were enough to shift more of a burden of proof onto landlords, deterring lawsuits in which evidence was either thin or nonexistent and tenants had greater access to justice. There is further support for this hypothesis in the overall decrease in default judgments during this period.

Diving into the Judicial Council’s outcome categories reveals that the three most frequent types of dismissal are: 1) Dismissal following informal alternative dispute resolution (or ADR) (66.66%); 2) Other forms of court-ordered dismissal (16.50%); and 3) Dismissal due to “lack of prosecution rules” (11.35%). While we have to trust that the Judicial Council is correctly classifying these outcomes, dismissals following ADR likely refer to dismissals following informal settlement negotiations (“hallway negotiations”) or that follow conversations occurring outside of court. That most dismissals happen at this stage suggests that when tenants show up

to court (and avoid default), landlords are less likely to follow through with the eviction case and more likely to dismiss cases.

Since most tenants lose their cases before their first court date, and many who do go to court have their cases dismissed, what becomes clear is that few eviction lawsuits end up using significant amounts of court time on trials and hearings. The relationship between default and dismissal also presents an interesting policy possibility: by developing policies creating pilot programs to test informal settlement methods like binding mediation and alternative dispute resolution, policymakers could help expand tenants’ access to procedural justice while lowering the burden that these cases place on both tenants and court dockets. Of course, better data could help specify both the relationship between default and dismissal and help policymakers identify counties where pilot programs expanding informal mediation opportunities could be most successful.



While the data cannot really answer the question of why there is an inverse relationship between default and dismissal, it is clear that this relationship exists. The counties with the lowest percentages of default outcomes oftentimes have the highest percentages of dismissal outcomes. Over half of eviction outcomes in counties with comparatively low default rates like Alameda County, for example, are dismissals. The inverse holds for counties with comparatively high percentages of default outcomes, such as Fresno, San Joaquin, and San Bernardino, which have some of the lowest rates of dismissal outcomes. Populous counties including Los Angeles, Sacramento, and San Diego do not provide data on most eviction case outcomes, but they have occasionally provided data on dismissals and generally rank in the lower half of the distribution when they do. On one hand, this might mean that these counties also have correspondingly high percentages of default judgments. On the other hand, however, it's also possible that low dismissal rates could be at least partially attributable to incomplete dismissal outcome reporting.

Clarifying this relationship might provide policymakers with a roadmap for policy interventions capable of decreasing the number of eviction filings over time. For example, if this relationship is statistically significant, then interventions oriented towards decreasing default rates (e.g., increasing outreach and awareness efforts like targeted canvassing and tenants' rights clinics) could result in higher percentages of dismissals by increasing the number of cases that are processed by already overburdened courts. If paired with initiatives to expand tenants' and landlords' access to binding formal mediation practices, then it is possible to imagine a future where eviction court dockets are small enough to guarantee that every litigant can access equal justice under the law. The problem is that without data on the counties with the highest volumes of eviction filings (not to mention the most competitive housing markets), policymakers will necessarily be proposing interventions without a clear picture of the relationship between these two outcomes.



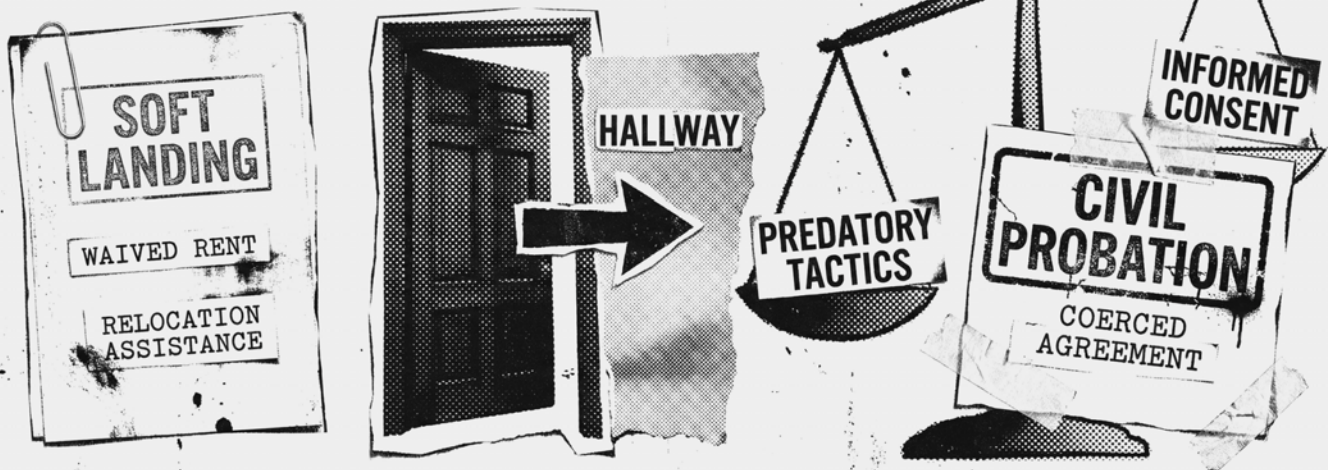
Despite the fact that tenants can benefit from dismissals as defendants in eviction lawsuits, the high frequency of eviction dismissals in counties throughout California is troubling. Whether a case is dismissed prior to trial or during trial, a significant burden nevertheless falls onto tenants; they must still go to court, lose a day (or days) of wages, arrange childcare or eldercare, and endure the stress of an impending eviction. It is in the interest of the state's six million renter households for policymakers to figure out why eviction lawsuits have such a high rate of dismissal. Increasing access to binding (and non-binding) forms of formal and informal mediation, imposing stricter standards for eviction filings,²⁸ or increasing court filing fees, among other solutions, might restore legitimacy to a court process that the data suggests is being abused by landlords.

E. NEGOTIATED OUTCOMES

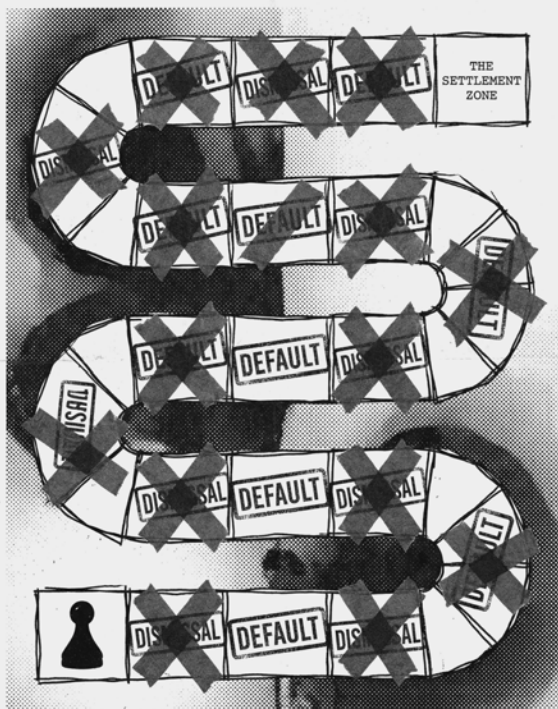
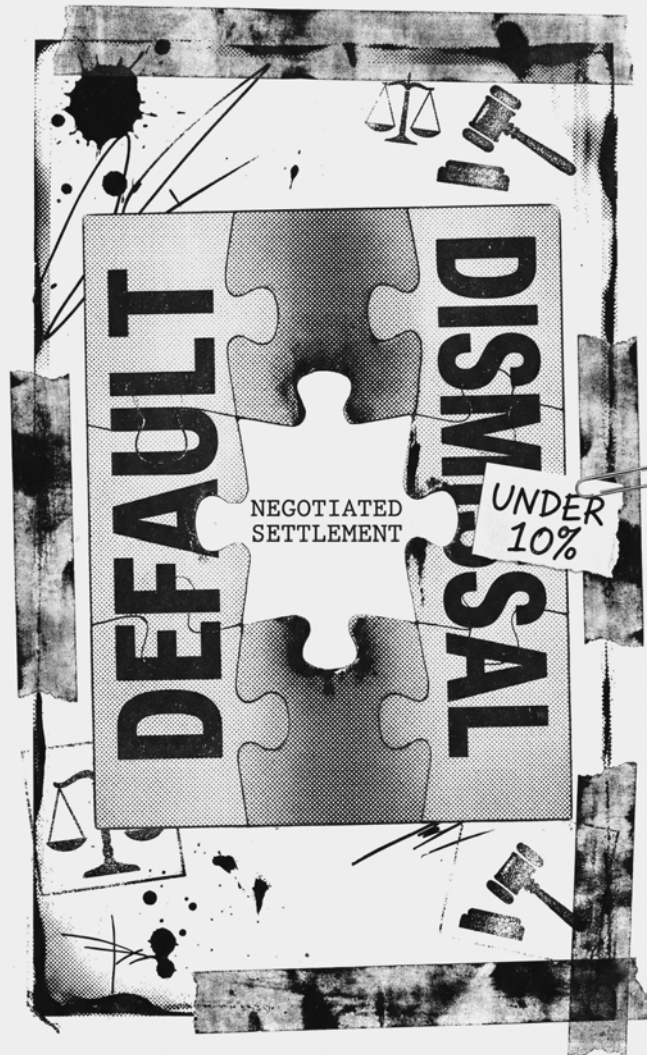
As discussed above, litigants are encouraged to settle eviction cases through informal forms of negotiation before trial in most courtrooms. There are, however, strengths and weaknesses in how negotiation currently occurs. On one hand, judges (or commissioners) often make a convincing case for settlement in their opening remarks in court: by settling, landlords can avoid costly litigation and tenants can avoid devastating losses at trial. A settlement can help a tenant land on their feet (give them a “soft landing”) if the landlord is willing to waive back rent, give them more time to find a new place to live, or offer them relocation assistance. Settlement can also be a good option for landlords and tenants if they are unlikely to succeed at trial for reasons discussed earlier.

On the other hand, a problem with negotiation in eviction lawsuits is that it usually occurs in informal venues outside of these courtrooms where tenants are at risk of exploitation as a result of both predatory negotiation tactics and disadvantageous settlement terms.²⁹ Legal scholar Nicole Summers characterizes negotiated settlements as a case of “civil probation,”³⁰ where tenants feel compelled (or coerced) to enter into complicated settlement agreements with landlords or be evicted. Still, if settlement negotiations were to occur on an equal terrain, in a formal or informal setting with binding or nonbinding terms, where landlords and tenants alike can give informed consent to whatever the settlement ultimately yields, then settlement might be a useful way for both parties to avoid myriad negative consequences of eviction lawsuits.

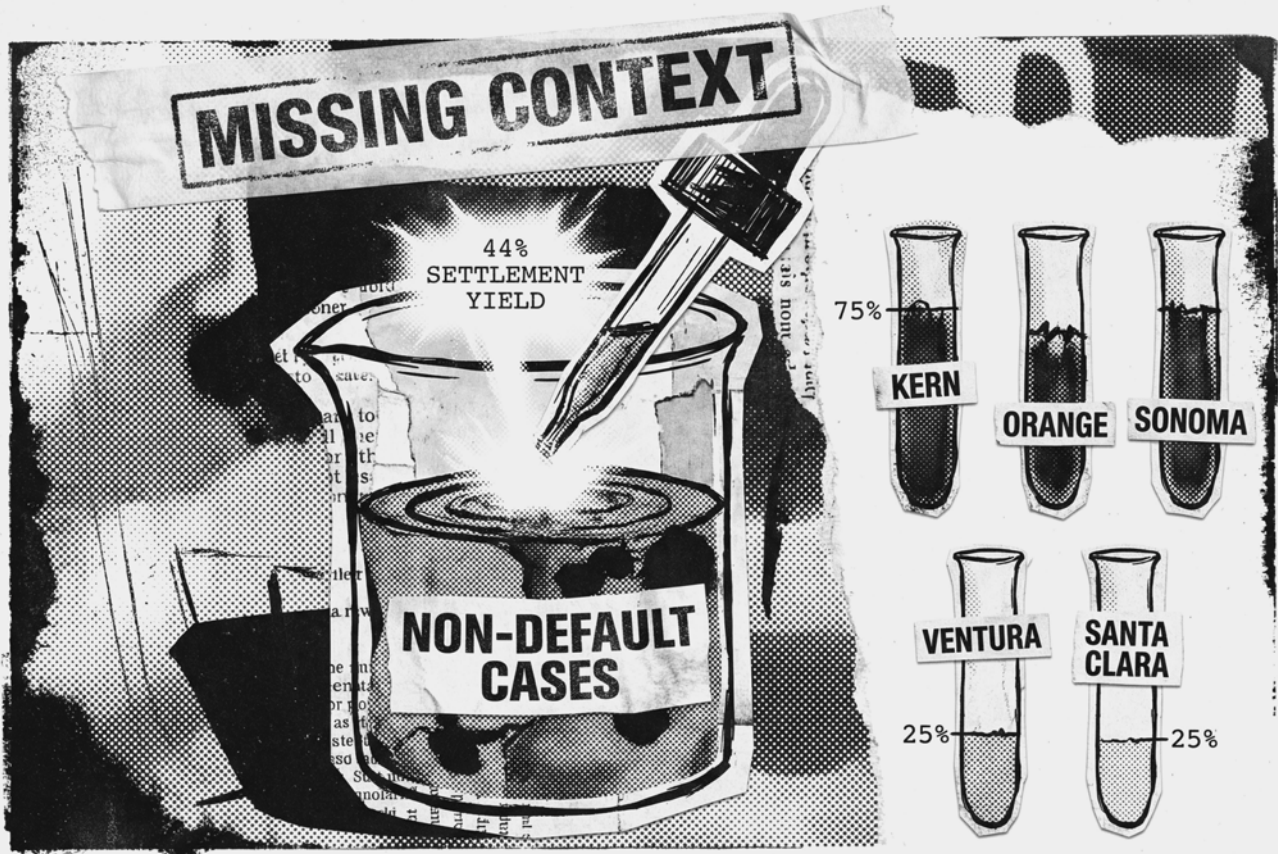
DUAL NATURE OF SETTLEMENT



With all of the incentives for both landlords and tenants to settle eviction lawsuits, it is curious why negotiated settlement outcomes are so comparatively rare. As discussed above, it is possible that the way Judicial Council classifies dismissals following formal and informal alternative dispute resolution obscures a higher prevalence of negotiated eviction outcomes. But based on the public data that we have at our disposal, settlements accounted for over 10% of eviction outcomes in just six counties with an average of 1,000 eviction filings annually during the study period: Contra Costa, Kern, Riverside, San Bernardino, San Mateo, and Tulare. Furthermore, there are no clear links between default or dismissal rates and the rate of negotiated settlements: whether defaults or dismissals are high or low, most counties have fewer than 10% of case outcomes determined by negotiated settlement. Of course, it is certainly possible that the percentage of negotiated settlements is higher in counties that do not report eviction outcome data, but it is impossible to know without data.



Perhaps a more useful way to think about negotiated settlements is that relatively few eviction cases advance to the point where they can be settled in the first place. How many cases that do not result in default and are not dismissed are resolved by negotiated settlements? One way to answer this question is to remove defaults, dismissals, and “other outcomes” from the dataset. This allows us to analyze settlement outcomes in the context of the other cases that are resolved in court. By doing so, we may paint a more complete picture of what actually happens *in* eviction courtrooms.



In California, negotiated settlements make up 40.21% of the eviction outcomes that do not result in defaults, dismissals, or “other.” In counties that averaged more than 1,000 eviction filings annually in the dataset, 44.25% of cases avoiding default, dismissal, or “other outcomes” were settled. High percentages of negotiated settlements among outcomes that were not default, dismissal, or “other” were concentrated across a handful of counties including Kern, Orange, Sonoma, and Stanislaus. In some years, negotiated settlements in San Mateo, Stanislaus, and Sonoma Counties comprised more than 75% of eviction outcomes that were not default, dismissal, or “other.” On the other end of the spectrum, negotiated settlements in Ventura, San Joaquin, and Santa Clara Counties comprised just 25% of eviction outcomes outside those three categories.³²

While there were clear associations in default and dismissal eviction outcome categories, it is more difficult to interpret and explain patterns in negotiation outcomes in the dataset. As discussed above, it is possible that some negotiation outcomes are being captured in outcomes categorized by the Judicial Council as dismissals. Furthermore, while some counties have consistently high or low rates of negotiated outcomes, others like Alameda and Stanislaus Counties have more fluctuation. Many counties still do not report any data on negotiation outcomes at all. Without the context provided by this missing data, these patterns are simply impossible to explain.

F. TRIAL OUTCOMES

While policy discourse around tenant protections at all levels of government assumes (in good or bad faith) that most eviction lawsuits are resolved through a trial, this dataset contradicts this assumption; trials are rare in eviction proceedings in California’s county superior court systems (see Tables 6 and 7 above). Among the counties that reported eviction outcome data to the Judicial Council during the study period, a period average of 10.76% of cases were resolved at trial annually; of 815,612 cases, there were just 90,536 total trial judgments in California. Almost all of those cases were resolved through “bench trials,” occurring between litigants, lawyers (when present), and judges. Over 14 years of eviction outcomes in our dataset, there were only 162 cases that culminated in a jury verdict.

There is currently no data available that allows us to estimate the percentage of these trials where tenants were represented by lawyers.³³ It is certainly possible that all of the jury trials are occurring in the counties that aren’t reporting and that this missing data could change this analysis. At risk of sounding like a broken record, however, we simply cannot know without understanding the context that is lost with an incomplete dataset. As it stands, trials are generally rare and jury trials are virtually nonexistent.

Counties with the highest shares of trial outcomes tend to be counties with comparatively fewer eviction filings like Tehama, Sutter, and Tuolumne; San Joaquin County is an exception.

TABLE 10: HIGHEST SHARES OF TRIAL OUTCOMES, >50 TRIAL OUTCOMES

#	YEAR	COUNTY	TOTAL OUTCOMES	BENCH AND JURY TRIALS	%
1	2017–18	Tehama	170	57	33.53%
2	2012–13	Sutter	441	144	32.65%
3	2018–19	Tehama	177	56	31.64%
4	2012–13	Ventura	2,847	843	29.61%
5	2013–14	Ventura	2,496	735	29.45%
6	2010–11	San Joaquin	4,831	1,381	28.59%
7	2019–20	Tehama	168	47	27.98%
8	2011–12	Sutter	477	132	27.67%
9	2014–15	Ventura	2,404	665	27.66%
10	2015–16	Ventura	2,391	644	26.93%

TABLE 11: LOWEST PERCENTAGES OF TRIAL OUTCOMES, <50 TRIAL OUTCOMES

#	YEAR	COUNTY	TOTAL OUTCOMES	BENCH AND JURY TRIALS	%
1	2018-19	Alameda	5,806	73	1.26%
2	2017-18	Alameda	4,476	95	2.12%
3	2016-17	Alameda	4,301	140	3.26%
4	2022-23	Orange	10,295	357	3.47%
5	2019-20	Alameda	2,597	38	1.46%
6	2015-16	Alameda	4,593	195	4.25%
7	2023-24	Orange	9,265	422	4.55%
8	2021-22	Alameda	146	3	2.05%
9	2020-21	Kern	1,217	52	4.27%
10	2023-24	Kern	3,172	108	3.41%

Trials are rarer in counties with more eviction filings; counties with the lowest percentages of trial outcomes tended to be counties with comparatively high percentages of default (e.g., San Bernardino and Kern Counties) and low percentages of default (e.g., Alameda and Orange Counties).

In counties with high percentages of default outcomes, the low percentages of trials are likely a result of few cases even making it to the trial stage. In counties with low percentages of default outcome, the low percentages of trials are likely a result of more cases being settled and dismissed prior to trial.

Looking at counties reporting data on eviction outcomes to the Judicial Council and averaging more than 1,000 eviction filings annually in our dataset, trial outcomes were as high as a period average of 19.88% in Ventura County and 18.99% in San Joaquin County and as low as a period average of 0.62% in San Mateo County and 4.60% in Alameda County. Minus default, dismissal, and “other outcomes,” however, bench trials in those counties accounted for an average of 55.74% of outcomes. Generally, though, bench trials are most common in San Joaquin and Ventura Counties (see Table 12) and they are least common in Alameda, San Mateo, and Stanislaus Counties (see Table 13).

TABLE 12: HIGHEST PERCENTAGES OF BENCH TRIAL OUTCOMES IN COUNTIES WITH PERIOD AVERAGES OF 1000 EVICTION FILINGS

#	YEAR	COUNTY	TOTAL OUTCOMES	BENCH TRIALS	%
1	2018-19	San Joaquin	2,695	765	28.39%
2	2020-21	Stanislaus	1,305	321	24.60%
3	2017-18	San Joaquin	3,131	749	23.92%
4	2019-20	San Joaquin	1,943	462	23.78%
5	2016-17	San Joaquin	3,498	774	22.13%
6	2021-22	Stanislaus	1,189	257	21.61%
7	2014-15	San Joaquin	4,043	847	20.95%
8	2015-16	San Joaquin	3,624	741	20.45%
9	2013-14	San Joaquin	3,947	786	19.91%
10	2012-13	San Joaquin	4,208	824	19.58%

TABLE 13: LOWEST PERCENTAGES OF BENCH TRIAL OUTCOMES IN COUNTIES WITH PERIOD AVERAGES OF 1000 EVICTION FILINGS

#	YEAR	COUNTY	TOTAL OUTCOMES	BENCH TRIALS	%
1	2018-19	San Mateo	1,030	0	0.00%
2	2020-21	San Mateo	328	0	0.00%
3	2010-11	San Mateo	1,699	0	0.00%
4	2011-12	San Mateo	1,592	2	0.13%
5	2017-18	San Mateo	1,126	3	0.27%
6	2016-17	San Mateo	1,139	4	0.35%
7	2015-16	San Mateo	1,306	5	0.38%
8	2014-15	San Mateo	1,383	6	0.43%
9	2013-14	San Mateo	1,473	9	0.61%
10	2019-20	San Mateo	697	5	0.72%

Jury trials, on the other hand, were extremely rare. As Table 14 clearly shows, there is not a fiscal year where a county had more than seven jury trials. Furthermore, the counties in Table 14 all have high period averages of eviction filings, which means that jury trials represented an extremely small share of eviction outcomes.

TABLE 14: MOST JURY TRIAL OUTCOMES IN COUNTIES THAT REPORT COMPLETE DATA TO THE JUDICIAL COUNCIL

#	YEAR	COUNTY	DISPOSITIONS	JURY TRIALS
1	2022-23	Orange	11,490	7
2	2010-11	Alameda	7,242	6
3	2014-15	Alameda	5,058	6
4	2023-24	Alameda	5,647	6
5	2012-13	Contra Costa	4,891	6
6	2016-17	Alameda	4,301	5
7	2019-20	Riverside	6,034	5
8	2023-24	San Bernardino	9,753	5
9	2012-13	Alameda	6,214	4
10	2013-14	Contra Costa	4,268	4

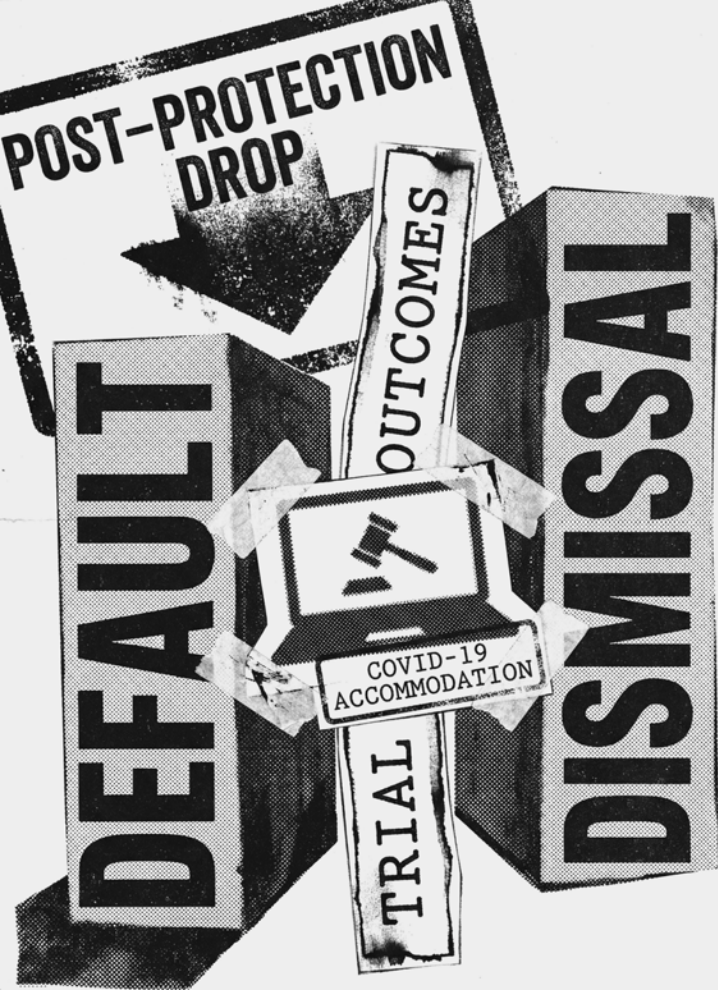
Furthermore, the counties in Table 14 all have high period averages of eviction filings, which means that jury trials represented an extremely small percentage of eviction outcomes.

Per Table 15, the highest percentage of eviction outcomes in counties with period averages greater than 1000 is San Mateo County (0.20%, or one jury verdict in FY 2021–22 and 0.19%, or two jury verdicts in FY 2018–19).

TABLE 15: HIGHEST PERCENTAGES OF JURY TRIAL OUTCOMES IN COUNTIES WITH PERIOD AVERAGES > 1000 EVICTION FILINGS

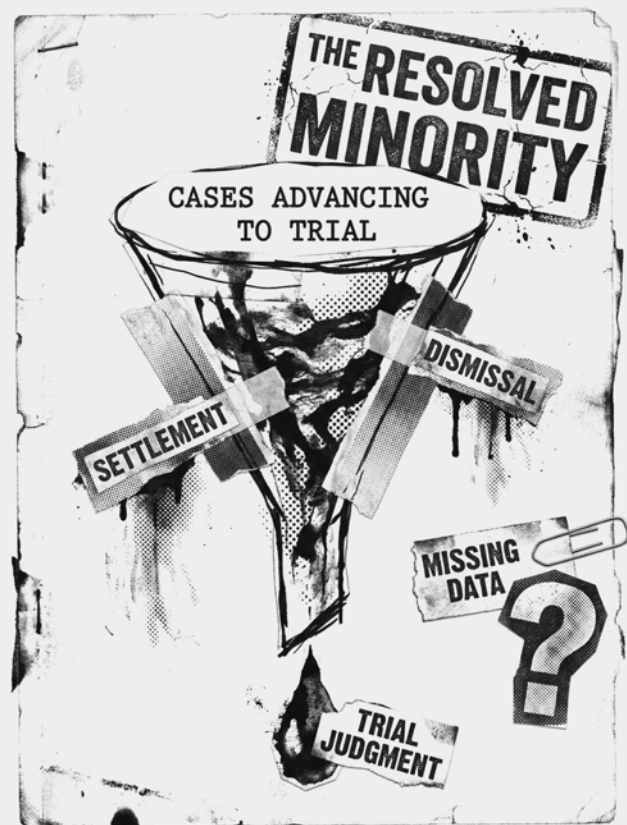
#	YEAR	COUNTY	TOTAL OUTCOMES	JURY TRIALS	%
1	2021–22	San Mateo	511	1	0.20%
2	2018–19	San Mateo	1,030	2	0.19%
3	2012–13	Contra Costa	4,891	6	0.12%
4	2014–15	Alameda	5,058	6	0.12%
5	2016–17	Alameda	4,301	5	0.12%
6	2023–24	Alameda	5,647	6	0.11%
7	2013–14	Contra Costa	4,268	4	0.09%
8	2010–11	Alameda	7,242	6	0.08%
9	2019–20	Riverside	6,034	5	0.08%
10	2022–23	Orange	11,490	7	0.06%

Even after removing default, dismissal, and “other outcomes” from the dataset, only three counties across six fiscal years had percentages of jury trial outcomes above 1%: Stanislaus County (2.44% in FY 2012–13 and 0.97% in FY 2014–15), Alameda County (2.12% in FY 2016–17 and 1.18% in FY FY 2014–15), and San Mateo County (1.79% in FY 2021–22 and 1.41% in FY 2018–19).



Beyond this finding, our dataset offers little clarity regarding how courts process and litigants experience trials statewide. It is certainly possible that the relative lack of trials reflects cases being resolved through settlement or dismissal during a trial rather than the absence of trials. Furthermore, it may also be the case that both types of trials are more frequent in counties that do not report eviction outcomes. Given the dataset's limitations, however, it is impossible to know for sure. But what we do know is that the vast majority of cases with outcomes in the dataset are resolved before trial. So, even if there are more trials of both types than are present in this dataset, they still represent a minority of overall eviction outcomes.

Our dataset offers at least two interesting trends regarding trials in eviction proceedings. First, where percentages of negotiated settlement outcomes are low, percentages of trial outcomes are high when default, dismissal, and "other outcomes" are removed. In the aggregate, however, both sets of outcomes—negotiated settlements and trial outcomes—are low compared to default and dismissal outcomes. Second, there is a clear trend among counties with the highest rates of trial outcomes where, historically, trial outcomes were decreasing before rising again during the COVID-19 pandemic, only to fall again after the expiration of temporary tenant protections. It is possible that this trend reflects accommodations during the COVID-19 pandemic that made it easier for tenants to avoid default and represent themselves in courts through virtual court proceedings.





IV. FROM CIVIL INJUSTICE TO CIVIL JUSTICE

Despite the fact that more and more counties are contributing data on eviction filings and eviction outcomes to the Judicial Council, the counties that do not report are responsible for approximately half of California's eviction filings *and* its total tenancies.

This means that there has yet to be a single piece of eviction and homelessness prevention-related legislation at the state level that can truly claim to be data-driven. It is no wonder, then, that many of the state's efforts to prevent evictions and homelessness have had mixed results with ongoing questions about whether significant budgetary expenditures have resulted in policies' desired outcomes.

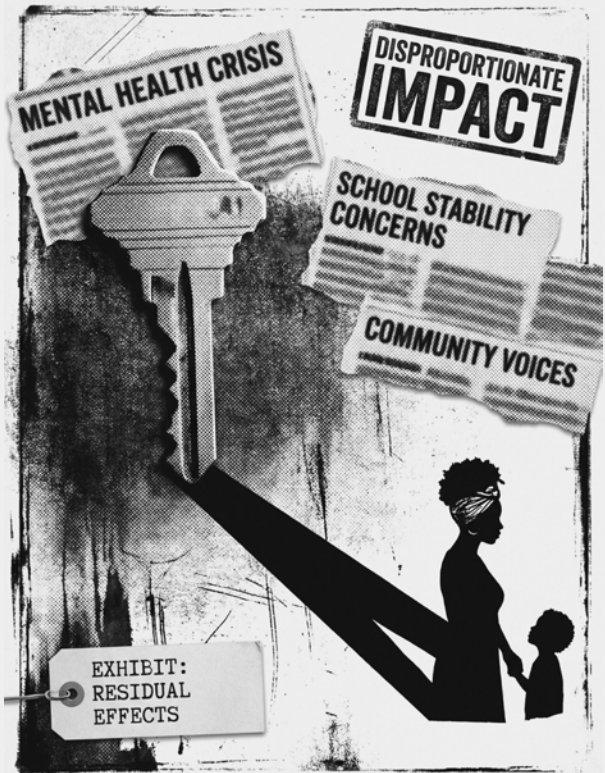
Two additional factors make this current information and policy landscape even more frustrating. First, California and its various municipalities have responded to housing affordability and homelessness crises by investing unprecedented amounts of funds and capacity to support homelessness prevention policy. And, yet, the data that it uses to implement these policy efforts remain as incomplete as ever. Second, California politicians seem uninterested in changing this situation. Despite Governor Gavin Newsom's putative interest in ending homelessness, for example, he has repeatedly used his veto power to stymie bills that have been passed by state legislature to address these limitations. In 2025, Senator María Elena Durazo's eviction court data transparency bill (SB 768) failed to make it through committee in the State Senate. In February 2026, however, Senator Durazo reintroduced the bill (now SB 1160), which offers another opportunity for state legislators to change this status quo.

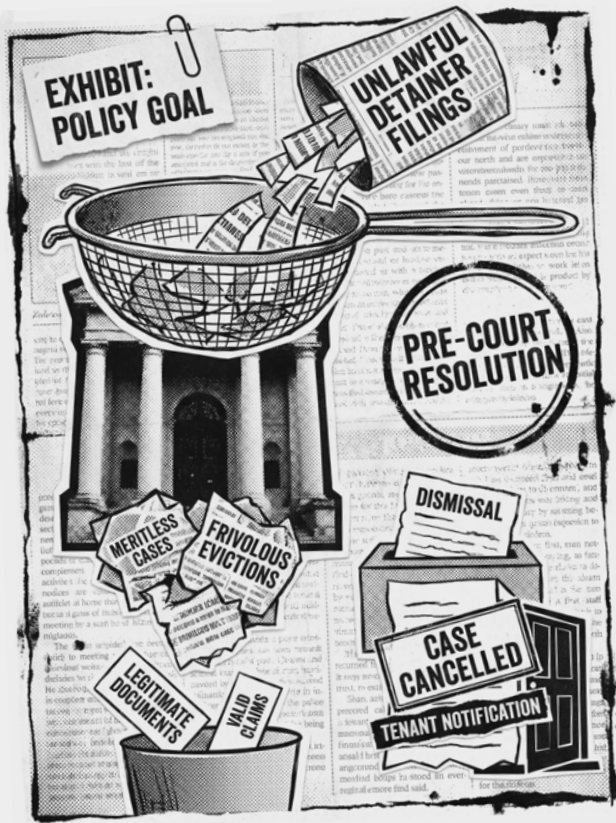
If legislators truly want to end homelessness in California, then they must learn more about its causes and create policies that are responsive. But they cannot do this until the Judicial Council can provide this data for all 58 counties.³⁴



The human cost of this reality is devastating; each of these cases represents a family that is pushed out of their home, and into unaffordable rental housing markets, before their first court date. Researchers have documented the residual effects of eviction-induced displacement—on individuals’ mental health, on students and school districts, on public transportation ridership and on social networks and community cohesion.³⁵ And not only does this situation represent a stunning example of legal inequality, but it also likely reflects racialized and gendered inequalities, as well. Evictions are not distributed equally in the population. Black people, particularly Black women, are far more likely to be evicted than are other racialized and gendered groups. Thus, developing policies to decrease the frequency of default judgments in eviction cases could pay massive dividends with benefits to individuals, families, communities, and entire municipalities throughout the state.

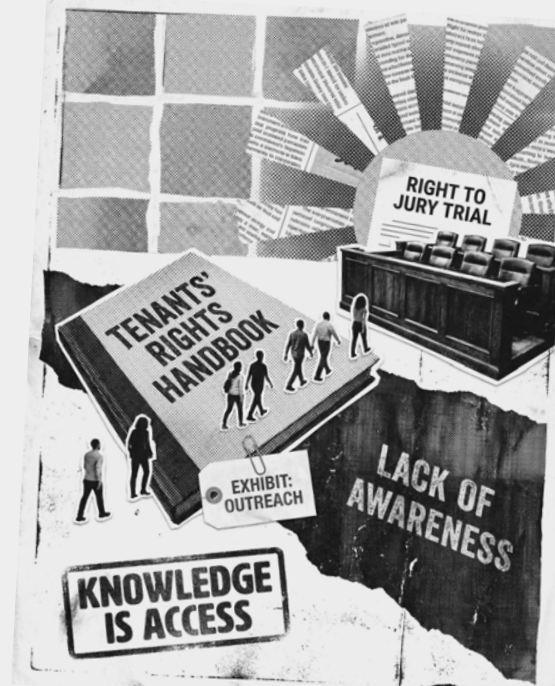
For these reasons, it’s long past time for the state to commit to changing the eviction data gap that has prevented its policymakers and advocates from developing data-driven policy. In this report, we have identified historical gaps in eviction data availability while showing what the data we do have can tell us about eviction outcomes across the state. These trends present a damning picture of civil injustice in eviction courts. Default is frequent, signaling that close to half of tenants in eviction proceedings lose their cases before their first court dates.





The state’s high rate of dismissals (and the fact that many of these dismissals occur prior to trial) suggests that a not insignificant percentage of landlords are filing cases that lack merit; when tenants avoid default, there is a high likelihood that landlords will dismiss cases. This is further supported by the small percentage of cases that are settled through different formal methods, even after accounting for high rates of default and dismissals. While dismissals certainly can benefit tenants as defendants, they nevertheless require tenants to participate in an eviction lawsuit, which means missing work, lost wages, childcare costs, attorneys’ fees, and stressful preparation. A dismissal, therefore, still imposes significant costs on tenants. If policymakers could figure out how to prevent cases that are likely to be dismissed from going to court, they could help tenants avoid having to make these decisions in the first place.

Finally, the data shows clearly that trials are rare, and jury trials are virtually nonexistent. This raises questions as to why. On one hand, it is certainly possible that data from counties that do not report eviction outcomes to the Judicial Council would show a higher frequency of trial outcomes. Furthermore, it is important to not conflate trial judgments with trials themselves, as there may be fewer of the former as opposed to the latter; many eviction cases that advance to the trial stage will be settled or dismissed. On the other hand, eviction courts in California provide many incentives to avoid trial. Likewise, tenants have the constitutional right to a jury trial in eviction proceedings, but rarely know about these rights and how to use them due to a lack of outreach and education about the legal eviction process in far too many jurisdictions around California. As repeated time and time again in this report, it is certainly possible that data from the counties that do not report to the Judicial Council would complicate this picture of civil injustice in California’s eviction courts, but it is impossible to know without the data necessary to draw these conclusions.



POLICY RECOMMENDATIONS



POLICY RECOMMENDATIONS



01

**TOWARDS EVICTION DATA
TRANSPARENCY**



02

**EXPANDING ACCESS TO
PROCEDURAL JUSTICE**



03

**ENCOURAGING EQUITABLE
OUTCOMES OUTSIDE OF TRIAL**

01

TOWARDS EVICTION DATA TRANSPARENCY

Eviction data transparency and accessibility in California must change. Until very recently, I was one of the only people in the state who collected and disseminated statewide data on eviction from the Judicial Council. I have provided more data to more government agencies, elected officials, community-based organizations, legal service providers, housing activists, and journalists across the state throughout my decade of working on these issues than I can count. And I only discovered this data exists because of persistent public records requests I was able to file as a graduate student, many of which began as fishing expeditions. I also worked extensively on past legislative attempts to change this situation because, whether as a matter of government transparency or civil justice, the current situation is simply unacceptable.

KYLE NELSON, PHD

Agencies throughout California, whether the statewide Judicial Council or local courts and housing agencies, must commit to making eviction data publicly accessible so that policymakers and advocates have what they need to develop data-driven homelessness prevention policies. Relevant data is not limited to eviction filings and outcomes, either; local municipalities must develop comprehensive rent registries and dashboards that present administrative data on phenomena like harassment and habitability, among others, that advocates know are closely related to eviction. The more that we collectively know about housing insecurity, the better our policy solutions can be to prevent it.

State Senator María Elena Durazo tried to change this situation when she introduced a bill called the Eviction Data Transparency Act (SB 768) in 2025. SB 768 would have compelled all 58 counties in California to report at the zip code level on eviction filings, outcomes, and representation to the Judicial Council, which would make these data publicly accessible to policymakers and advocates alike. While that bill failed to make it out of committee in the State Senate, Senator Durazo has not given up and recently introduced SB 1160 to try once again to make eviction data accessible in California. Whenever a future data transparency bill lands on Governor Newsom's desk, he must not veto efforts to improve eviction data transparency for a third time. This is because whatever the costs of enacting and implementing an eviction data transparency bill are, its benefits would be substantial as California continues to fund homelessness prevention efforts.



02

EXPANDING ACCESS TO PROCEDURAL JUSTICE

A lack of eviction data and limited access to what data does exist have allowed procedural inequality to fester below the radar in California’s superior court system for far too long. Since eviction and other expressions of economic and housing precarity are the leading drivers of homelessness,³⁶ it is not a stretch to say that making eviction courts more procedurally fair may be the single most important way the state can both prevent tenants from entering homelessness and keep tenants housed after they exit homelessness. And the only way to make eviction courts more procedurally fair is to analyze how and why the legal eviction process fails tenants.

While there is much more work to do, this study suggests some avenues for policymakers to explore. First, courts must do something to decrease the frequency of default. As long as eviction is going to be processed as a lawsuit in courts in California’s civil justice system, then it is vital that plaintiffs (landlords) and defendants (tenants) receive equal opportunities to participate in the adversarial process. A high default rate may benefit landlords by allowing them to quickly use courts to evict tenants, but when nearly half of tenants who are facing eviction never get a chance to defend themselves in court, then something is seriously wrong. Extending the answer window from five to 10 days as the California legislature recently did is a good start, but more must be done to decrease default’s prevalence by increasing tenants’ access to justice.



Initiatives like the Debt Collective’s Tenant Power Toolkit (TPTK) provide one pathway forward. TPTK helps tenants complete and file Answers virtually, which removes the hurdle of making tenants—who, like landlords and homeowners, face competing scheduling commitments from work and family—travel to courts to file answers in-person. Compelling courts to embrace and provide standardized e-filing for tenants facing eviction would further improve this situation, as the only beneficiaries of TPTK are tenants who are able to learn about it in time.

Furthermore, statewide and local government agencies should work closely with courts to demystify confusing legal processes for the laypeople who will end up having to use them to defend themselves against eviction. To do so, California must invest in widespread outreach and awareness efforts through a variety of modalities to make sure that tenants know about the eviction process and what to do when they receive Summons and Complaint documents. Likewise, investments to improve court-based self-help centers, increase the availability of tenants rights clinics in urban and rural areas alike, and develop right to counsel programs would go a long way in reducing default while expanding tenants’ access to justice in the state’s courts.

03

ENCOURAGING EQUITABLE OUTCOMES OUTSIDE OF TRIAL



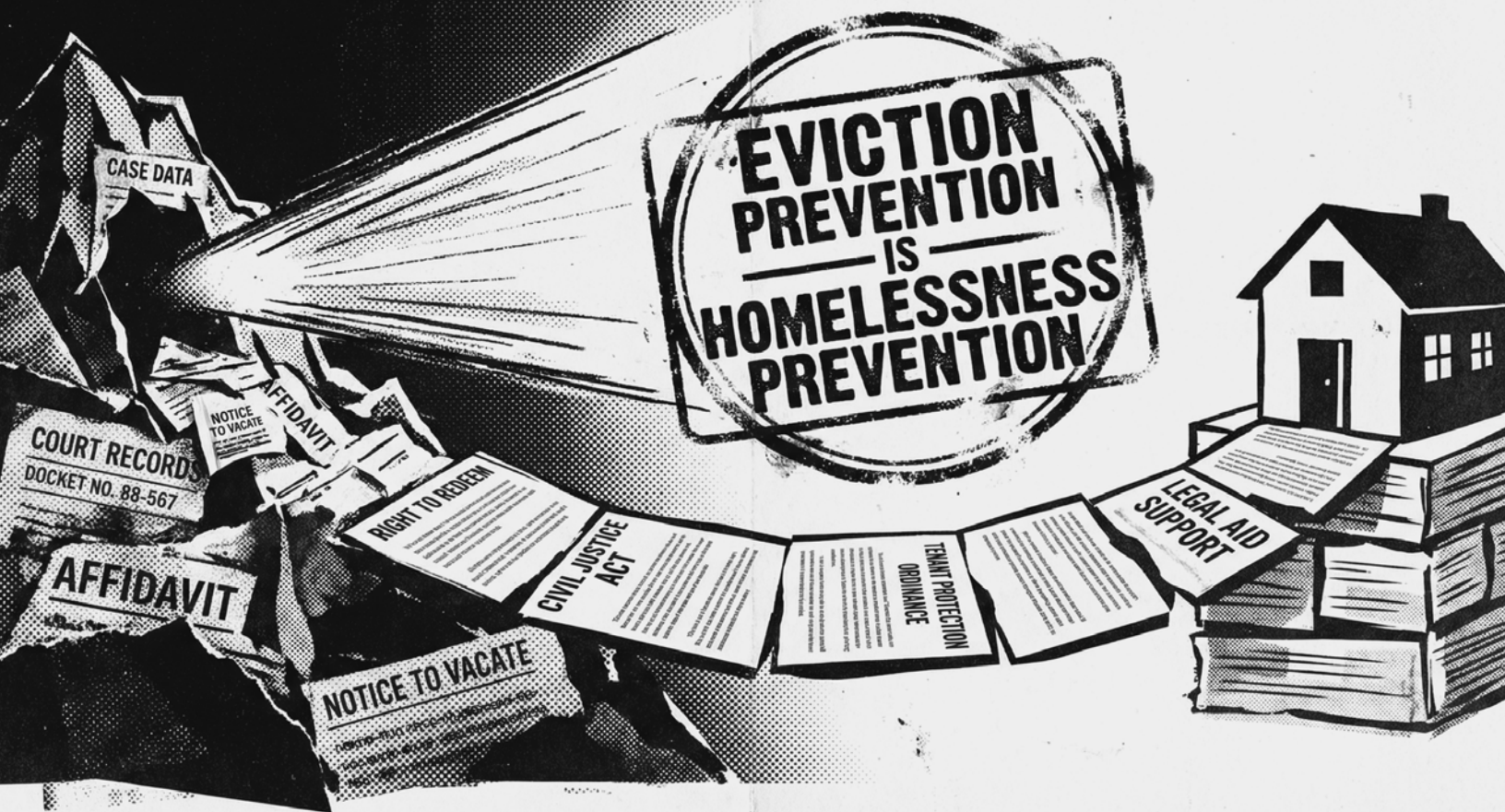
While there is little that courts themselves can do to incentivize taking cases to trial (the decision to proceed to trial is ultimately up to litigants and either party—though most commonly defendants—in eviction lawsuits may unilaterally request a jury trial by filing a jury demand), they can create policies that create flexibility within the eviction process to resolve cases in ways that are fair to tenants outside of trial.

Developing more opportunities for fair settlement negotiations offer one way forward. Whether settlement negotiations in courtroom hallways and cafeterias or more formalized mediation and alternative dispute resolution methods, settlement can result in tenants negotiating with landlords to keep their housing or settle on terms that give tenants a “soft landing” if they cannot.

But these negotiations cannot happen in the ad hoc way that they currently do in courts and any sort of mediation processes must be fair to both parties.

As we described above, this is because tenants without lawyers are often taken advantage of by unscrupulous lawyers and landlords, and the settlements that they agree to are too often rubber stamped by overburdened judges and court personnel rather than reviewed for clarity and fairness. Courts can work with local legal service providers to improve how they communicate fair settlement protocols and terms to tenants without lawyers, and judges can do more to make sure that tenants know the implications of the settlement agreements that they sign, which includes providing information about troubleshooting resources in the case that they are unable to meet a settlement agreement’s terms in the future.

And if courts do ultimately create opportunities for alternative dispute resolution, they need to ensure that mediators have the experience to guarantee a fair process for landlords and tenants alike, especially in cases where neither party is represented by counsel. Funding right to counsel initiatives for tenants facing eviction across the state could further facilitate procedural fairness by ensuring that tenants are not negotiating complex settlements without the aid of lawyers since the vast majority of landlords are represented by lawyers in eviction lawsuits.



Finally, 21 states have enacted policies that are referred to as “right to redeem” laws, where tenants can repay back rent up until trial. In cases where non-payment of rent is not pretextual, these policies could give tenants time to find state-sponsored rental assistance and other forms of financial support that can help them pay their rent and avoid eviction. “Pay and stay” settlement agreements are not an acceptable proxy for a formalized “right to redeem” policy, which would allow courts to hold tenants’ payments and transfer them directly to landlords with proof that tenants paid their rental debt.

Nothing proposed in the three sections above represents a radical reorganization of the civil justice system, but even these relatively modest reforms could pay significant dividends in helping mitigate the rampant inequality currently characterizing the legal eviction process. At the very least, a civil justice system should dispense justice equally to all of its users; after reviewing even partial data, it’s clear that this is not currently the case in California’s county courts. It has always been the case that eviction prevention policies are the best homelessness prevention policies. But no matter the precise policy configuration that advocates and policymakers ultimately choose, an essential first step is to provide them with the data that they need to make informed decisions. Until that point, our policies to prevent eviction, end homelessness, and restore civil justice to California’s courts are likely to continue to come up short when tenants and people experiencing homelessness statewide need them most.

NOTES

1. Chester Hartman and David Robinson, “Evictions: The Hidden Housing Problem,” *Housing Policy Debate* 14, no. 4 (2003): 461–501.
2. Kyle Nelson and Michael C. Lens, “Centering the Institutional Life of Eviction,” in *The Sociology of Housing: How Homes Shape Our Social Lives*, ed. Eva Rosen and Brian J. McCabe (Chicago: University of Chicago Press, 2023), 109–20.
3. Some recent examples include Robert Collinson, John Eric Humphries, Nicolas Mader, Davin Reed, Daniel Tannenbaum, and Winnie van Dijk, “Eviction and Poverty in American Cities,” *Quarterly Journal of Economics* 139, no. 1 (2024): 57–120; Francisca Garcia-Cobian Richter, Claudia Coulton, April Urban, and Stephen Steh, “An Integrated Data System Lens into Evictions and Their Effects,” *Housing Policy Debate* 31 (2021): 762–84; and Dan Treglia, Thomas Byrne, and Vijaya Tamala Rai, “Quantifying the Impact of Evictions and Eviction Filings on Homelessness Rates in the United States,” *Housing Policy Debate* (2023): 1–12.
4. Nick Graetz, Carl Gershenson, Peter Hepburn, Sonya R. Porter, Danielle H. Sandler, and Matthew Desmond, “A Comprehensive Demographic Profile of the US Evicted Population,” *Proceedings of the National Academy of Sciences* 120, no. 41 (2023), e2305860120, doi.org/10.1073/pnas.2305860120; and Matthew Desmond, *Evicted: Poverty and Profit in the American City* (New York: Crown, 2016).
5. Veto letter from California Governor Gavin Newsom to members of the California State Assembly, October 8, 2023, gov.ca.gov/wp-content/uploads/2023/10/AB-875-VETO.pdf.
6. “Toward a New Understanding: The California Statewide Study of People Experiencing Homelessness,” Benioff Homelessness and Housing Initiative, University of California, San Francisco, June 2023, homelessness.ucsf.edu/sites/default/files/2023-06/CASPEH_Report_62023.pdf.
7. Despite unprecedented levels of funding, an analysis from the Bay Area nonprofit All Home shows that funds related to housing and homelessness account for less than 1% of the state’s \$321.1 billion budget for FY 2025–26. “Statement on the Final 2025–26 State Budget,” All Home, July 1, 2025, allhomeca.org/2025/07/01/statement-on-the-2025-26-state-budget/. In light of the Trump Administration’s proposal to limit federal funding for housing and homelessness policy, it is likely that funding to prevent homelessness statewide will decrease.
8. Per communication with the Judicial Council and responses to public record requests submitted by the author, we were able to learn about the Judicial Council’s data collection and aggregation practices regarding eviction filing and outcome data, as well as the variety of issues that make it challenging for county court systems to report this data to the Judicial Council.
9. Per author’s communication with Judicial Council.
10. The Judicial Council aggregates eviction outcomes to the county level for each fiscal year. California’s fiscal year reflects a period from July 1 to June 30.

NOTES

11. In this report, we used the following criteria to categorize counties' data reporting coverage. Counties were categorized as "Complete" (black) if they either reported complete outcome data or if they had reported 90% or more case outcomes. Counties were categorized as "Incomplete" (light gray) if they reported between 11% and 89% of case outcome data. Counties that did not report case outcome data or that reported 10% or fewer case outcomes were categorized as reporting "No Data" (dark gray). In FY 2010–11 and FY 2011–12, some counties did not report data on filings or outcomes, but by FY 2012–13, every county provided data on the number of annual filings, at the very least. All thresholds were developed by the study's author. See Appendix 1 for tables detailing eviction case coverage in each county in California.
12. U.S. Census Bureau, American Community Survey, Table B25011, 2010–2023, five-year estimates. Since this data did not exist for 2024 by our publication date, we assumed the number of tenancies between 2023 and 2024 are the same.
13. There is at least one exception to this rule. While occurrences of it are rare, there is technically at least one way for an eviction lawsuit to begin without a notice. If a fixed-term lease expires and there is no conversion to a month-to-month tenancy, then a landlord could file an eviction lawsuit without a notice.
14. Notice periods vary by the type of eviction action pursued by landlords. A three-day notice, for example, typically precedes an eviction action filed in a jurisdiction with a just-cause ordinance.
15. In this report, we use "UD" and "eviction" interchangeably.
16. See, e.g., "Win-Win: Paying Landlords and Keeping Tenants Housed," Stanford Law School Law and Policy Lab, February 2025.
17. In 2024, the California legislature voted to change the window of time for filing an Answer from five to ten court business days.
18. "Succeed" and "fail" are not legal terms, but they are used in quotation marks to indicate that they may not correspond to typical definitions of success and failure, especially when to succeed in a UD may still mean one loses one's home.
19. Since the first court date in an eviction lawsuit is referred to as a trial date, the Judicial Council uses the phrase "after trial" to describe outcomes that occur during or after trials.
20. Michael C. Lens, Kyle Nelson, Ashley Gromis, and Yiwen Kuai, "Spatial Concentration and Spillover: Eviction Dynamics in Neighborhoods of Los Angeles, 2005–2015," *Housing Policy Debate* 31, nos. 3–5 (2021): 670–95.
21. These policies were not true moratoria, which would have brought a halt to all eviction filings.
22. "Top Evicting Large Cities in the United States Ranked by Eviction Rate," The Eviction Lab, accessed March 6, 2025, evictionlab.org/rankings/#/evictions?r=United%20States&a=0&d=evictionRate&l=0.
23. The Eviction Lab's rankings are for cities and the Judicial Council data used in this report is based on county-level data.
24. It is worth noting here that, while its rates are quite high, Amador averaged only 89 eviction filings during the study period.

NOTES

25. Data on file with author, collected via public records request to Los Angeles County Superior Court.
26. Other California jurisdictions covered by rent-stabilization ordinances, such as San Francisco and Santa Monica, require landlords file notices with their rent boards.
27. See, for example, Malcolm M. Feeley, *The Process Is the Punishment: Handling Cases in a Lower Criminal Court* (New York: Russell Sage Foundation, 1979); Matthew Clair, *Privilege and Punishment: How Race and Class Matter in Criminal Court* (Princeton University Press, 2022); and Nicole Gonzalez Van Cleve, *Crook County: Racism and Injustice in America's Largest Criminal Court* (Stanford Law Books, 2016).
28. For example, one possible explanation for the inverse relationship between default and dismissal eviction outcomes is that many of the cases where tenants lose by default are likely to be dismissed if tenants avoid default.
29. For historical examples, see Mark H. Lazerson, "In the Halls of Justice, the Only Justice Is in the Halls," in *The Politics of Informal Justice*, ed. Richard L. Abel (1982); and Erica L. Fox, "Alone in the Hallway: Challenges to Effective Self-Representation in Negotiation," *Harvard Negotiation Law Review* (1996).
30. Nicole Summers, "Civil Probation," *Stanford Law Review* 74, no. 4 (2023): 847.
31. A common example of how dismissal classifications could include negotiated outcomes involves cases where parties sign and enter a stipulation agreement that resolves a case and triggers a dismissal. For example, a "pay and stay" settlement could stipulate that if the tenant agrees to pay "x" amount by "y" time, then the landlord will dismiss the case; a "move out deal" could stipulate that if the tenant agrees to move out before "x" date, the landlord will dismiss the lawsuit.
32. The only counties with both high and low settlement outcomes over the 14-year study period were Alameda and Stanislaus Counties.
33. According to the National Coalition for a Civil Right to Counsel (NCCRC), an average of 88% of landlords and 4% of tenants are represented by lawyers in eviction proceedings across the United States.
34. Advocates and researchers also need to learn more about how to quantify and develop policies to address "informal evictions", which happen outside of the civil justice system. Informal evictions include everything from rent burdened tenants "voluntarily vacating" before landlords can serve them a notice to uncontested illegal lockouts.
35. See *Evicted: Poverty and Profit in the American City*.
36. Margot Kushel and Tiana Moore with Jennifer Birkmeyer, Zena Dhatt, Michael Duke, Kelly Ray Knight, and Kara Young Poder. (2023). *Toward a New Understanding: The California Statewide Study of People Experiencing Homelessness*. UCSF Benioff Homelessness and Housing Initiative.

NOTICE TO VACATE

**A CIVIL
INJUSTICE:**
**THE STATE OF EVICTION
IN CALIFORNIA. 2010-2024**

KYLE NELSON, PHD
Strategic Actions
for a Just Economy
(SAJE)

