



UTAH EVICTIONS & CONNECTIONS TO RACIAL ETHNIC DISPARITIES IN UTAH



The Utah Multicultural Advisory Committee and the Housing & Social Services Workgroup

The Multicultural Advisory Committee of Utah's COVID-19 Response (The Advisory Committee) was formed in May 2020 by former Governor Herbert to address the disparities in Black, Indigenous, People of Color (BIPOC) communities and the high numbers of COVID cases. The purpose of the Advisory Committee was to address the disparity that our communities are facing by eliminating barriers, providing resources, and providing educational opportunities for underrepresented communities during the pandemic.

The Housing and Social Services workgroup was formed with members from public and private entities who provided much-needed expertise. The members included individuals from the Utah Department of Workforce Services, Refugee Services Office and the Division of Housing & Community Development, Utah Community Action, Department of Health, Department of Health and Human Services, Department of Corrections, Brigham Young University, Comunidades Unidas, and Catholic Community Services. The purpose of this workgroup was to identify access to social service programs for BIPOC

communities during the COVID-19 pandemic. We looked at housing assistance, evictions, domestic violence, community health workers and their training and scope, and the issues affecting children during COVID-19.

Housing was among the most immediate need to address because people who were experiencing COVID-19 (or job loss due to COVID-19 and the shut down) were concerned about how to pay their rent. Despite unemployment insurance and the CARES act funds, there were individuals in BIPOC communities who were not eligible for the funding or who were on the verge of becoming homeless. Furthermore, we were interested in identifying whether BIPOC communities who were experiencing the highest rates of COVID-19 were able to access the COVID-19 related funds. Preventing further homelessness during COVID-19 was a critical strategy to keep more families and communities safe. We also wanted to request and analyze data regarding evictions to provide information about what was going on statewide with BIPOC communities and what effect evictions moratoriums were having on communities in our state.

Executive Summary

Under Utah Code 9-21-202, the Utah Division of Multicultural Affairs (MCA) has been tasked to identify the needs of the state's multicultural communities and work with all agencies to ensure the state provides equitable resources and programs to address the gaps in services to Utah's diverse population. In addition, the division's mission is to promote inclusion and cultivate trust and cooperation between Utah's service providers and historically underrepresented people. For that reason, MCA collaborated with diverse stakeholders to study the rising concern of evictions in our state. The research team – composed of Dr. Joél Arvizo-Zavala, Taysha Tiatia, and Ramy Ahmed – worked with data from the Utah State Courts and the U.S. Census tracker to understand whether or not evictions are disproportionately impacting BIPOC communities in Utah. Using a cohort study approach, comparing an eight-month period in 2019 to 2020, the team found that disparities in evictions do exist with a significant number of evictions (over 80%) occurring in

zip codes that are predominately BIPOC. Additionally, and with the state/federal moratoriums on evictions due to COVID-19, the research team also sought to better understand how moratoriums impacted evictions in BIPOC communities as well. The research team was able to show that, despite moratoriums reducing the number of evictions in Utah during the year 2020, the disparity of evictions persisted in BIPOC communities.

Additionally, and with data provided by the Utah Department of Workforce Services through the local housing agencies, the research team analyzed rental assistance data to see what trends were occurring in two areas: 1) how approved rental assistance applications were dispersed in our state, and 2) whether or not rental assistance is reaching zip code areas with eviction disparity. The findings from this secondary analysis will also be presented in this report.

Literature Review

For the purposes of this literature review, evictions are defined as the expulsion of a tenant from a property through court involvement. Evictions are deeply felt on a multitude of fronts, impacting the health, economic, and social well-being of those that experience housing insecurity.

Tenants affected by evictions are limited in the future by these evictions. Low-income families are already most at risk of experiencing housing insecurity and the process of eviction only continues the cycle of poverty often disqualifying one from living in public housing and accessing more stable neighborhoods¹. There is also the economic cost of public housing, rental assistance, and social services that can be extremely costly for those who have been recently evicted.

Due to the distressing nature of eviction on communities, a sort of “social dilemma” is created and this social impact of evictions cannot be understated. Many known social inequities can be tied directly to the eviction process, and the eviction process contributes directly to worse social determinants of health than any other factor². Evictions can be associated with a lack of access to formal education, forced dependence on social assistance programs, and an increased risk of criminal-legal involvement³. Access to housing is a key factor in

determining opportunity. Housing, and more specifically evictions are a key determinant of access or lack of access to education, health care, food, or other social determinants of health. This shows the social impacts of evictions go beyond just housing, and can have a profound impact on the quality of life for those involved⁴.

The most tangible effect of evictions is the health impact, both mental and physical. An eviction, as well as the eviction process is extremely stressful, and can be devastating for mental health. There is a confirmed positive association between housing insecurity and depression⁵. Suicides are also very common for those evicted as one study shows that the proportion of suicides among those evicted is ten times the normal population⁶. All features of the eviction process were associated with higher suicide risk, especially in women⁷. Similarly, the duration of the eviction process was clearly associated with a higher suicide risk, meaning the longer an eviction process went on, the more likely a tenant was to commit



suicide⁸. Another negative health impact of evictions is increased risk for drug addiction and overdose. There is a positive correlation between evictions and substance abuse mortality rates. A 1% increase in evictions led to a half percentage increase in substance related deaths per 100,000 people⁹. Physical health is impacted also and as there is evidence to suggest that the eviction process can have negative health outcomes such as high-blood pressure and malnourishment¹⁰. The social inequities tied to evictions contribute directly to worse mental and physical health outcomes, making eviction not only a risk-factor, but a determinant of health altogether⁸.

These three impacts, (economic, social, and health), affect communities differently, but BIPOC communities are consistently hit the hardest by evictions. Research shows that Black and Latinx tenants have the highest

displacement rate by far¹¹. This is now even more true due to the COVID-19 pandemic. BIPOC communities have been hit the hardest by the pandemic, not only physically but economically as well.

These findings should also lead to concerns or questions about housing insecurity. One key factor in housing insecurity is affordability/income. Millions of Black and Latinx renters have faced job loss or a decline in income¹². In fact, due to the pandemic, more than half of low income households have suffered a job loss or a severe decline in income. In the first week of June 2020, only 73% of renters were able to pay rent. Because of this, millions of Black and Latinx people face evictions, and with it the economic, social, and health outcomes that already disproportionately and negatively affect them¹⁰.

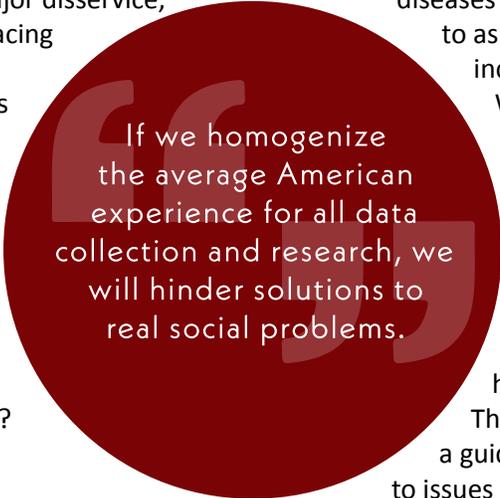
Importance Of This Research

Prior to this report, there was no data to assess how gender, race, and ethnicity are connected to evictions and eviction frequency in Utah. Although there is a public record to show the amount of evictions per county, names of evictees, and the judgment call of the case, court systems do not have the capacity to provide identifying information of who those evictees are, demographically speaking. Without accurate information of these evictions, BIPOC communities are once again being underrepresented. This is a major disservice, not only to the individuals who are facing a disproportionate rate of eviction in these areas, but also to the resources and programs who aim to provide rental relief and support. If there isn't accurate data when creating and implementing these programs, how will our communities accurately receive the support and resources they need? How will local governments efficiently create policies that address these problems?

With prior understanding that BIPOC communities face systematic discrimination and racism¹³, it was important to see if BIPOC communities were facing disparities in eviction rates. We define disparity as the quantity that separates a group from a reference point on a particular measure that is expressed in terms of a rate, proportion, mean, or some other

quantitative scale¹⁴. In this case, the disparity of eviction rates was explored by comparing Utah's state rate of evictions to zip codes' rate of evictions with an emphasis on closely analyzing regions that are predominately BIPOC¹⁵.

The detriment of disregarding race, ethnicity, and gender in research can also be seen in other sectors. For instance, racial and ethnic minorities experience more preventable diseases and poorer health outcomes—referred to as 'health disparities'—yet they are not included in research studies as often as White communities.¹⁶ This experience holds true for other sectors such as income, education, and employment.¹⁷ As the evidence shows, this problem is not unique within just housing research. If we homogenize the average American experience for all data collection and research, we will hinder solutions to real social problems. The analysis we've conducted serves as a guidepost to why evictions research, tied to issues of disparity, is important. By further examining zip codes where BIPOC community members live we are able to tell a story that is both overlooked and underrepresented in Utah. In other words the story that we are telling is one focused on inequity. In order for us as a state to better understand and support all communities in Utah we have to make the conscious decision to be



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racially aware. Thus by understanding that “identity is dynamic and evolving - our data collection instruments should be too.”¹⁸

One of the questions that was of vital importance to us as a research team was why there needed to be an emphasis on studying disparity in relationship to evictions. First a discussion on disparity. Disparity can be measured in a number of ways but all methods are geared towards understanding where there are notable differences between one population and another. For the purposes of this research, disparity in evictions was measured using the relative rate index (RRI) and is a simple way to compare two different rates or ratios to determine parity or disparity in a specific population. The eviction research team used the RRI to determine if specific zip codes in

Utah had rates of evictions that were higher or lower than the state average. It’s important to note that a rate below 1.0 means that a particular zip code has a rate of evictions that is below the state average or that evictions in that area are underrepresented. A rate close to 1.0 or at 1.0 means there is parity with the state average for evictions. And, rates above 1.0 mean that there is disparity or overrepresentation of evictions in that area. When considering evictions in Utah and our growing BIPOC communities, the research team understood the importance of measuring disparity in evictions and using the data sets available to us to provide analysis at the zip code level.

Racial Disparities in Eviction Rates During COVID-19

Using a cohort study approach, comparing an eight month period in 2019 to 2020, the team found that disparities in evictions do exist with a significant number of evictions (over 80%) occurring in zip codes that are predominately BIPOC. Additionally, and with the state/federal moratoriums on evictions due to COVID-19, the research team also sought to better understand how moratoriums impacted evictions in BIPOC communities as well. The research team was able to show that despite moratoriums reducing the number of evictions in Utah during the year 2020, the disparity of evictions persisted in BIPOC communities.

The research team is also taking an intersectional approach to this work and has gathered data on gender, income, and other demographic indicators to add depth to the analysis. One finding is that evictions seem to be particularly high for the demographic group of BIPOC women. The trends discussed thus far are in alignment with previous research on evictions and the disproportionate impact on BIPOC communities and BIPOC women¹⁹. Our research shows BIPOC single women whose salary fall below their zip code median face more evictions than even BIPOC communities more generally.

This finding is important because although the state has a low eviction rate, there are many communities within the state that are facing evictions at a much higher rate.

The 2019 and 2020 eviction maps show each of the zip codes (where an eviction filing originated) and visualizes them with additional information.



The Racial Disparities Mapping Project

An integral part of this research is to share and show eviction disparity in our state. The [2019 and 2020 eviction maps](#) show each of the zip codes (where an eviction filing originated) and visualizes them with additional information. Two areas are of particular importance. One, the map shows the rate of eviction for each zip code. Keep in mind that the state eviction rate (during the time of the study) was 1.36% in 2019 and 1.04% in 2020 and there are many zip codes that have an eviction rate

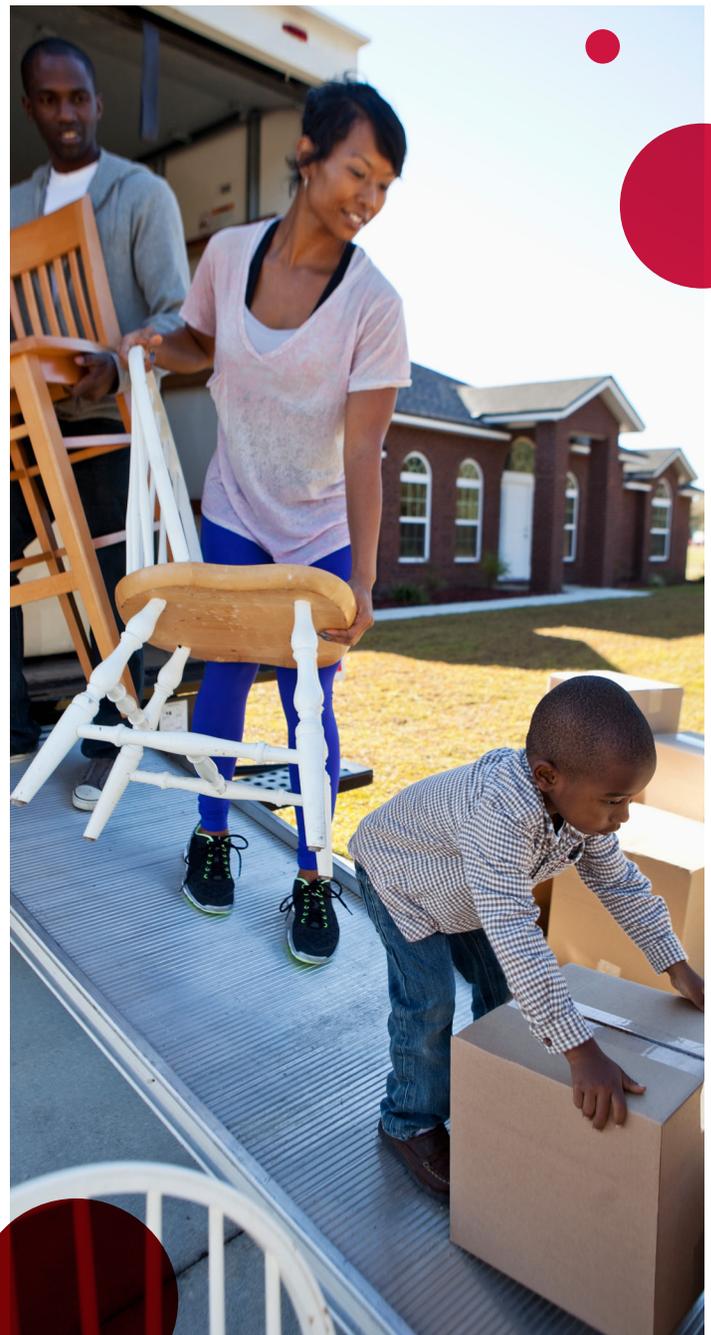
much higher than the state average. Two, an indicator of disparity is also shown on the map. Disparity occurs when the proportion of evictions is greater than 1.0 (which is the state baseline). Therefore, for any zip code that has a number greater than 1.0, disparity exists in that zip code when compared to the state as a whole. For the purposes of this study, racial-ethnic disparity was the primary focus emphasizing potential impact on BIPOC communities.

Housing Assistance Programs

The CARES Act of 2020 created opportunities for both renters and rentees to receive funding to support payments of monthly rents while also preventing evictions. During the time of this study - January through August of 2019 and 2020 - the data show that evictions had decreased by 1,053 or a decrease of 25.7%. This is important to note because one of the major goals of the housing assistance programs, during COVID-19, was to reduce evictions.

The State of Utah has resources available for those in need of housing and rental assistance. The first of these resources is known as the Pandemic Housing Assistance Program. This program assists those unable to pay rent due to circumstances surrounding COVID-19. Assistance comes in the form of direct rent or utility payments to the landlords or utility companies. Assistance cannot exceed \$2,000 a month, and applicants must reapply monthly. In order to be eligible, an applicant's income must be below the area's median income, and the applicant must have experienced documented financial hardship from COVID-19. The Pandemic Housing Assistance Program is funded by CARES Act funding through the Utah Housing and Community Development Division.

Another available resource for rental assistance is available for landlords. This is known as the Landlord Housing Assistance Program (LHAP) and is a program designed to assist landlords in applying for rental assistance on behalf of their tenants. With the same assistance and eligibility requirements as the Housing Assistance Program, the only difference with LHAP is that the landlords are the ones applying. This is important to curb evictions, as now landlords have an incentive not to evict. By involving the landlords, the State of Utah is trying to ensure that no one is overlooked when it comes to rental assistance.



2020 Rental Assistance Applications and Their Connection to Eviction Disparity

In continuing our research on evictions and their impact on Black, Indigenous, People of Color (BIPOC) in Utah, the Division of Multicultural Affairs' research team has analyzed data on rental assistance during the COVID-19 pandemic or year 2020. In collaboration with the Utah Department of Workforce Services, we analyzed data on how approved rental assistance applications are being distributed in the State of Utah. With cooperation from the various local housing agencies in the state, rental assistance data on three programs was made available to our research team for analysis.

Our primary question was to understand where rental assistance applications have been approved (based on zip code level data) and whether or not the majority of approved applications were in zip codes that have the highest rates of eviction (or disparity) in the state.

Our analysis shows that only 34% of the total number of approved rental applications went to zip codes which have a disparity rate of two times (2x) the state as a whole. This means that there is significant room to improve rental assistance approval in zip codes that have a high eviction disparity but are underrepresented when it comes to approved applications. However, it is important to note that of the zip codes with disparity rates of at least two times (2x) greater than the state as a whole, some zip codes have an approved application rate at or over the 90th percentile (roughly 144 applications per zip code). These zip codes include: 84047, 84058, 84070, 84107, 84115, 84116, 84119, 84123 and 84401. For a full picture of where approved rental assistance applications have gone in the state and any associated eviction disparity we encourage you to view [our map dashboard and explore the data](#).

Additionally, our research team was interested in understanding potential target areas that would benefit from increased rental assistance support based on their high rates of eviction and low numbers of approved rental assistance applications. Our analysis shows two zip codes of concern, 84111 and 84101. These two zip codes have high eviction rates, 6.8 % and 6.98% respectively, but received less than 80 total approved applications (an insufficient number of applications to even begin addressing the disparity these zip codes have in evictions).

Our analysis also shows that there are three other zip codes of concern. These include 84044, 84102, and 84104 whose evictions rates are lower than the two zip codes mentioned previously but still high enough to be considered at a level of disparity. Each of these zip codes received less than 90 total approved applications. To learn more about this analysis and compare it to other zip codes in the state please visit [our zip code visualization dashboard for full information](#).

There are some important notes to make regarding these findings. First, the rental assistance programs - from which this data originated - were designed to support people who have been adversely affected (economically) by the COVID-19 pandemic. The eligibility criteria for rental assistance were created to help anyone in the state.

At the time of program creation, our research team had not published our findings on eviction disparity and thus the programs couldn't have been made aware of any disparity at the zip code level in preparation for the implementation of these programs.

However, now that both the eviction disparities data and rental assistance data is now available, our research team recommends that more targeted efforts are made to ensure a greater number of submitted and approved applications for the zip code areas of concern mentioned above. In fact, municipalities, state agencies, and non-profits in the housing field have already used these data to shift focus to better address issues of disparity. Approaches that involve targeted outreach, case management, and awareness of disparity are in the best interest of our communities in Utah. Second, our original data looked at eviction disparity at both the zip code level and found that there were higher rates of disparity for zip codes that are predominately BIPOC. This disparity persisted despite the moratoriums placed on evictions. Thus, we encourage folks to consider that many BIPOC families and communities may still be in need of rental assistance support and are still at greater risk for eviction.





Key Questions, Call to Action & Recommendations for Policy and Practice

HOW DO WE REDUCE EVICTIONS IN THE STATE BASED ON THE FINDINGS FROM THIS PROJECT?

- BIPOC single women whose salary falls below the zip code median, experience the highest rates of evictions, more than any other demographic. By identifying the major disparity that is occurring for these individuals, it is important to create relevant and affordable housing policies while focusing on expanding pre-existing resources for this community.
- With major population and economic growth in Utah, a pressing issue the state is facing is the amount of affordable housing. Many single-bedroom apartments easily exceed \$1,000 a month for rent²⁰, making it difficult for single individuals to find housing within their budget. Although there has been an increase of income-based apartments, many of those spaces face long waitlists. In addition, Utah zoning laws may have a negative impact on affordable housing and data on Salt Lake City shows that many neighborhoods are dominated by single-family households²¹. Utah zoning policies protect these homes from being converted to duplexes, triplexes, or other multi-unit housing. Changing the zoning laws to increase the amount of residents in these households, or allowing development of multiple ADUs, can drastically increase the amount of affordable housing. This is a low-cost solution using pre-existing spaces. However, the key to ensuring housing affordability is that these multiple-unit complexes have a significant number of affordable housing units.

Additionally, it is important to consider that some of these single BIPOC women are mothers. Historically, we know this demographic has experienced major financial and housing barriers more than other demographics,

specifically the White nuclear family²². Therefore, expanding programming and funding to help elevate these women economically and professionally can help alleviate their cost of living.

WHAT DO MULTICULTURAL (BIPOC) COMMUNITIES NEED IN ORDER TO NO LONGER BE DISPROPORTIONATELY AFFECTED BY EVICTIONS?

- More widespread, accessible, and targeted rental assistance is required to help our communities placed at-risk. Investment in communities and public housing is also needed. Concentrating public housing in poorer communities further exacerbates poor social determinants of health²³. The improvement of living conditions in poor and minority communities, without gentrification, is also necessary. In the past, policies used to improve communities have led to the gentrification of these communities, leaving the original community members behind.
- More initiatives are needed to encourage renting to members of BIPOC communities such as subsidies or tax breaks. Those below a certain level of income, especially those from BIPOC communities may ideally qualify for low fixed housing rates and still be able to access better homes and housing. Automatic qualifiers for eviction immunity, such as race, gender, number of children, income, marital status, etc. should be considered²⁴. For example, a Latinx or Black mother of three should receive support and protection from eviction; courtesy of a rental assistance program. Due to the fact that her and her three children are most at risk from the negative economic, social, and physical impacts of evictions, especially in the form of child displacement. These protections may be a temporary measure, or time

This is a low-cost solution using pre-existing spaces.

restricted in order to allow those at risk a chance to mitigate the threat of eviction. By providing rental and housing assistance, more income is freed up for these communities to be able to spend on food, health care, or other vital needs that previously could not have been met. This alone can drastically improve the quality of life for many in these communities and improve the economy, keeping in mind that the leading detriment of health and quality of life is income²⁵.

Another key aspect in preventing these negative effects is education. By educating residents on available resources (through means that are linguistically and culturally accessible) a massive impact can be made. Education (or outreach efforts) should focus on access to rental assistance, eviction mediation, and more housing case management. Many renters do not know their rights as tenants, so by informing them, the eviction crisis can become a little more manageable.

WHAT DOES SOUND LAW AND POLICY AROUND EVICTIONS LOOK LIKE AND WHY?

Disparity in evictions is not unique to the State of Utah nor is the disproportionate impact they have on BIPOC communities. As our research and prior research show it is important that evictions proceedings are handled with dignity and respect towards the individuals who are being displaced from their homes. As such there are three major recommendations that we have to improve policy and law in Utah that are based on our findings. These include:

- Emphasizing educational opportunities on tenants rights throughout the eviction process. This also means that legal aid should be funded robustly²⁶ and that resources should be allocated to reduce evictions in the communities most heavily impacted. In the case of Utah and regarding the evictions map, careful attention must be made to the zip codes experiencing the highest percentages of evictions and/or the highest rates of disparity in comparison to the state average.
- Utah must not shy away from culturally responsive approaches to issues of evictions. This means that if BIPOC communities are being disproportionately impacted by evictions in the state, there must be concerted efforts to thwart this disproportionality through dedicated funding streams and resources within those communities. This could include (re)investment in housing case management supports, eviction mediation supports, and greater accessibility to legal aid that is both linguistically and culturally responsive.
- Laws and policies around evictions shouldn't disproportionately favor the renter or the rentee but rather should represent a balanced approach between the two so that everyone's rights are protected and supported. **We recommend that state legislative bodies look at existing evictions laws and policies and consider whether or not there is bias towards one or the other. Doing so allows for greater equity in evictions and the potential to significantly reduce the current disparity in this process.**



Challenges In Doing Evictions Research

The Utah State Courts served as a primary partner to gather data on eviction filings throughout the state of Utah. The Utah State Courts provided our research team with data on evictions where the filing zip code was the primary unit for analysis. As the research team learned more about what data is available from the courts, we realized that research related to racial-ethnic disparities among Black, Indigenous, People of Color (BIPOC) wasn't possible with court data alone as the courts currently don't have a mechanism in place to gather reliable race-ethnicity information. These data concerns however, are not unique to the Utah State Courts as many criminal justice agencies have separate systems that gather different types of data - evolving from their scope of work or practice. This was made evident recently in the legislative audit of the Justice Reinvestment Initiative (JRI) or H.B. 348 from 2015. Two reports were shared that highlight the need for improved

data sharing and data collaboration with the most important being the performance audit of information sharing with the criminal justice system.²⁷ With these limitations in mind, the research team made the decision to use proxy data to gain a better understanding of how evictions are impacting BIPOC communities in Utah. Using U.S. Census tracker demographic data, based on zip code, the researchers linked the eviction data from the Utah State Courts with the Census data to better understand if evictions disproportionately impact BIPOC communities. The data also provided insight into whether the moratoriums on evictions during the COVID-19 pandemic had any effect on reducing disparity for BIPOC communities. Additionally, and when appropriate, the research team confirmed data and information using dockets from Xchange²⁸ - the statewide case management system.

Future Directions With Evictions Data

Using data available from the court Xchange database, the research team looked at information for both the plaintiffs and the defendants to determine if any patterns would lead to disparities in the evictions process. Two patterns surfaced that are important to note in this work. First, there is an incredibly low percentage rate of defendants having counsel when they are required to appear in court for their eviction proceedings. Not having access to counsel or not having counsel during the court proceedings leads to disparity in many ways, including

but not limited to: lack of support to effectively navigate the eviction process, possible default judgment in favor of the plaintiff when defendants do not show up to court, or misunderstanding of opportunities or rights in the eviction process. Second, the data from Xchange warrants further analysis to determine specific issues that may cause inequity and tied to specific eviction filings. Analysis should look at treble damages, default judgements, length of eviction proceedings and more.



Acknowledgements

The research team would like to thank Asha Parekh, the Chair of the Housing & Social Services Workgroup and the rest of the workgroup for their leadership and review of this work, Utah Division of Multicultural Affairs, The Department of Workforce Services - Housing & Community Development,

the Utah State Courts, the ACLU of Utah, and Sofia Nystoem from the Commission on Criminal & Juvenile Justice for their collaboration and support on this project. Any questions regarding the project can be directed to the principal investigator, Joél Arvizo-Zavala (joelarvizo@utah.gov).

Researcher Biographies



Ramy Ahmed is a recent graduate from the University of Utah with a Bachelor's of Science in Health, Society, and Policy. Ramy is currently pursuing his Master's of Business Administration. This report was part of a fellowship he conducted within the Utah Division of Multicultural Affairs. Ramy lives in Salt Lake City, Utah, and loves watching and playing sports, as well as reading in his free time.



Taysha Tiatia has graduated from the University of Utah studying Economics. She served as a fellow for the Utah Division of Multicultural Affairs. She has a passion for serving her communities, especially those that need it most. Outside of school and work, Taysha loves to find local and small Utah businesses to support.



Dr. Joél Arvizo-Zavala is a curriculum specialist and researcher with the Utah Division of Multicultural Affairs, a researcher with the Utah Commission on Criminal & Juvenile Justice and serves as executive director for Resilient Education consulting. Their background is in education and criminal justice with a Ph.D. in educational leadership & policy from the University of Utah. Their work focuses on: racial-ethnic disparities in the adult criminal justice system, equity, diversity, inclusion, and belonging (EDIB) in professional organizations, urban education (teaching and learning), trauma-informed education, and teacher professional learning. They live in Salt Lake City and love gardening, interior design, singing, and reading.

Contributing Author Biography

Asha Parekh currently serves as the Director of the Refugee Services Office within the Department of Workforce Services for the state of Utah. During her tenure she started the Utah Refugee Center, a unique public private partnership that provides employment support and offers community space to build refugee community capacity.





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