

# **Evictions & Our Neighborhoods: Data from 2016-2021**

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## **Introduction**

Evictions & Our Neighborhoods examines community-level data regarding evictions in the City of Albany from 2016 through 2021. It was completed by the City's Department of Housing & Community Development with data largely obtained from the NY State Office of Court Administration. The report is meant to provide critical perspectives on eviction patterns and trends in light of the COVID-19 pandemic and the anticipated end of the statewide eviction moratorium on January 15, 2022.

*Evictions & Our Neighborhoods* addresses the following topics:

- Albany Evictions at a Glance: 2021 (pg. 2)
- Albany Eviction Hotspots by Zip Code and Neighborhood (pg. 3)
- Causes of Eviction in Albany (pg. 6)
- Evictions by Property Type (pg. 8)
- Evictions and Code Enforcement (pg. 9)
- Evictions and Policing (pg. 11)
- Evictions and Tax Delinquency (pg. 12)
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## Albany Evictions At a Glance: 2021<sup>1</sup>

- Eviction cases filed in 2021: **705+**
- Estimated number of Albany residents facing eviction during 2021: **1,450+**
- Estimated number of children (under 18) facing eviction in 2021: **250+**
- Estimated prevalence of Albany eviction cases during 2021: **1 in 40 renters**

**Table 1:** Albany Eviction Cases by Month, 2021

| Month               | # of New Filings | # of Hearings & Trials | # of Cases with Any Activity <sup>2</sup> |
|---------------------|------------------|------------------------|---|
| January 2021        | No data          | No data                | No data                                   |
| February 2021       | No data          | No data                | No data                                   |
| March 2021          | No data          | No data                | No data                                   |
| <b>Q1 of 2021</b>   | <b>No data</b>   | <b>No data</b>         | <b>No data</b>                            |
| April 2021          | 70+              | 40+                    | 91+                                       |
| May 2021            | 52               | 99                     | 127                                       |
| June 2021           | 62               | 92                     | 101                                       |
| <b>Q2 of 2021</b>   | <b>184+</b>      | <b>231+</b>            | <b>319+</b>                               |
| July 2021           | 51               | 90                     | 55  |
| August 2021         | 78               | 89                     | 94  |
| September 2021      | 28               | 119                    | 128                                       |
| <b>Q3 of 2021</b>   | <b>157</b>       | <b>298</b>             | <b>277</b>                                |
| October 2021        | 46               | 148                    | 169                                       |
| November 2021       | 98               | 79                     | 91  |
| December 2021       | 116+             | 111                    | 149                                       |
| <b>Q4 of 2021</b>   | <b>260+</b>      | <b>338</b>             | <b>409</b>                                |
| <b>TOTAL - 2021</b> | <b>705+</b>      | <b>867+</b>            | --  |

## Albany's Eviction Hotspots

When it comes to Albany's eviction hotspots, not all neighborhoods are equally impacted. Historically, eviction filings in Albany have been overwhelmingly concentrated in areas of

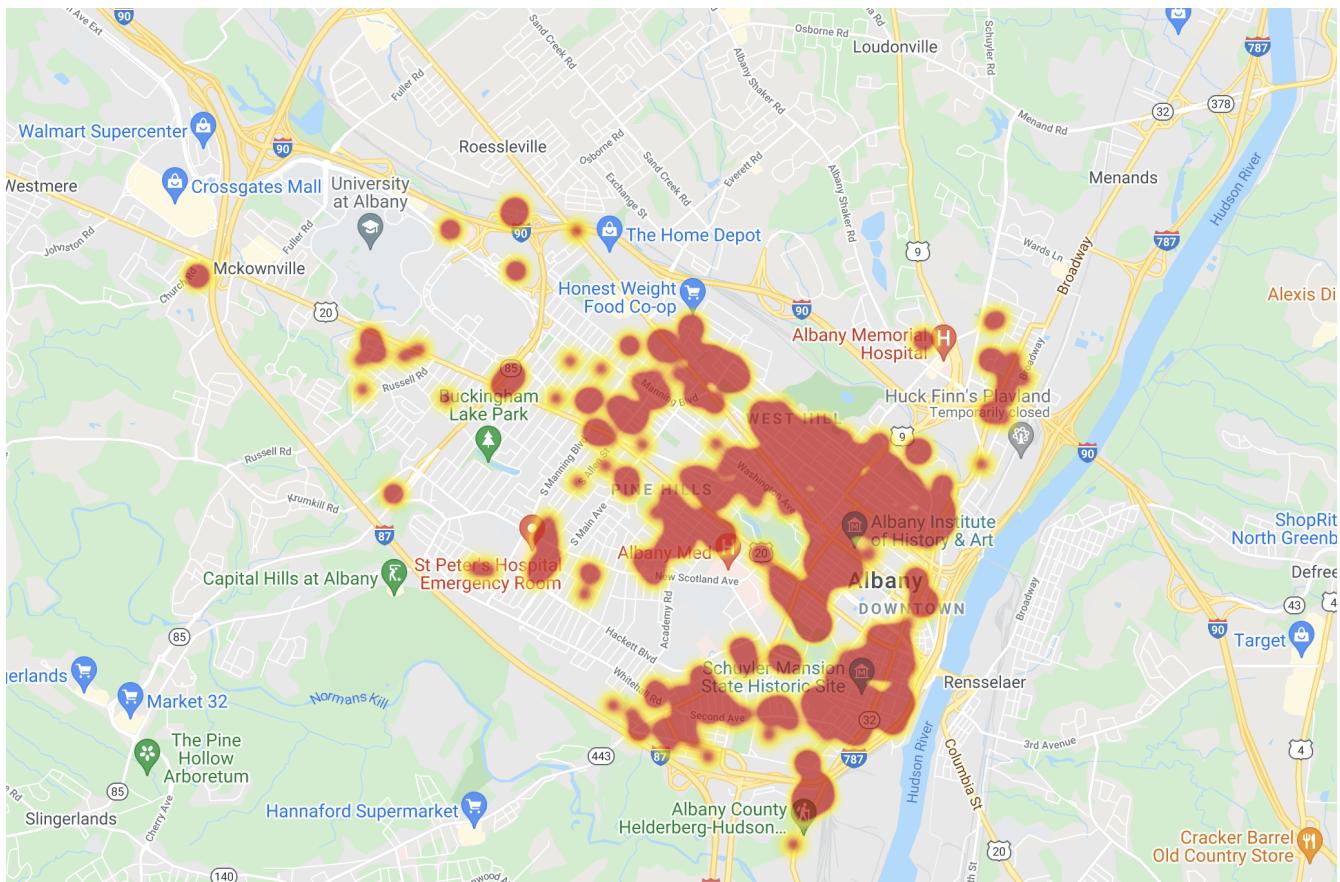
<sup>1</sup> For methodology and sources, refer to page 15.

<sup>2</sup> "Cases with Any Activity" refers to any eviction cases with hearings, trials, or other appearances or events on the court calendar, to include submissions, motions, and control dates.

poverty, which often overlap with Albany's communities of color. From 2016- 2021, the top eviction zip codes in Albany were:

- **12202:** South End, Mansion Area, Second Avenue
  - **34.7%** of filings (**7,618+** cases filed since 2016)
- **12210:** Arbor Hill, Sheridan Hollow, Ten Broeck Triangle
  - **19.6%** of filings (**4,312+** cases filed since 2016)
- **12206:** West Hill, West End, Beverwyck
  - **18.8%** of filings (**4,125+** cases filed since 2016)

**Figure 1:** Albany Eviction Heat Map, 2021



An analysis of identified eviction zip codes revealed disparities in per-capita eviction filings in communities of color during 2021. Last year, **more than 60%** of Albany eviction cases with identified addresses occurred in **predominantly-BIPOC communities**: most notably, the neighborhoods of West Hill – West End, Arbor Hill – Sheridan Hollow – Ten Broeck Triangle, the South End – Mansion Area, and Historic Pastures – Downtown.

Based on estimations of the number of renter households present in each zip code, the **highest per-capita eviction rates** occurred in **12202** (South End – Mansion Area), **12206** (West Hill – West End), and **12207** (Historic Pastures & Downtown), followed by 12210 (split between Arbor Hill – Sheridan Hollow – Ten Broeck Triangle and Center Square – Hudson

Park). By comparison, the **lowest per-capita eviction rates** were found in **12208** (Pine Hills – New Scotland – Helderberg) and **12203** (Melrose – Campus Area – Dunes).

**Table 2:** Estimated Eviction Prevalence by Zip Code - Albany, NY, 2021 \*

| Zip Code                | Neighborhoods   | Est. 2021 Prevalence   | 2016-2021 Prevalence         |
|-------------------------|---|------------------------|------------------------------|
| 12202                   | South End, Mansion Area, Second Avenue, Hudson Park, Lincoln Park, Mount Hope             | >1 in 20 renters       | >1 in 3 renters              |
| 12206                   | West Hill, West End, Beverwyck, Upper Washington  | 1 in 25 renters        | 1 in 7 renters               |
| 12207                   | Downtown, Historic Pastures, Mansion Area   | 1 in 30 renters        | 1 in 4 renters               |
| 12209                   | Delaware Area, Second Avenue, Whitehall, Normanskill, Delso                               | 1 in 40 renters        | 1 in 20 renters              |
| 12210                   | Arbor Hill, Sheridan Hollow, Ten Broeck Triangle, Center Square, Hudson Park              | 1 in 40 renters        | 1 in 6 renters               |
| 12208                   | Pine Hills, Park South, Helderberg, New Scotland - Woodlawn, Normanskill, Buckingham Lake | 1 in 100 renters       | 1 in 30 renters              |
| 12203                   | Washington Park, Upper Washington, Melrose, Campus Area, Eagle Hill                       | 1 in 125 renters       | 1 in 50 renters              |
| <b>Citywide Average</b> |   | <b>1 in 40 renters</b> | <b>1 in 6 renters (2019)</b> |

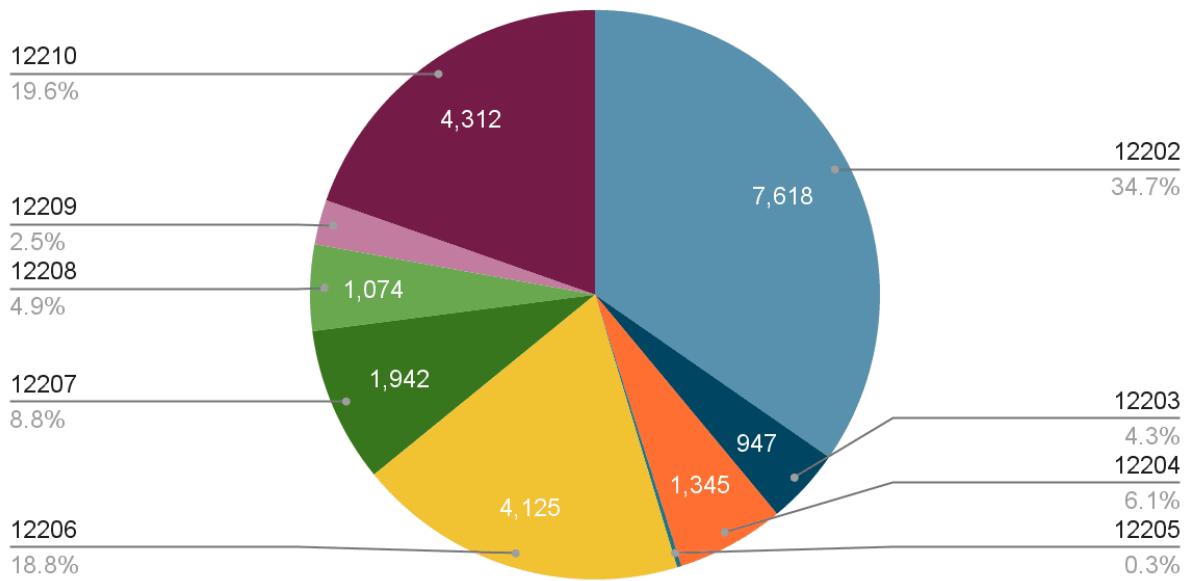
\* Zip codes 12204 and 12205 have been omitted here, as considerable portions of these areas are outside of City limits, which would result in skewed data.

Source: U.S. Census Bureau; City-Data.com

**Figure 2:** Distribution of Albany, NY Eviction Filings by Zip Code, 2016-2021

## Distribution of Eviction Filings by Zip Code

Albany, NY: 2016-2021



## Causes of Evictions in Albany

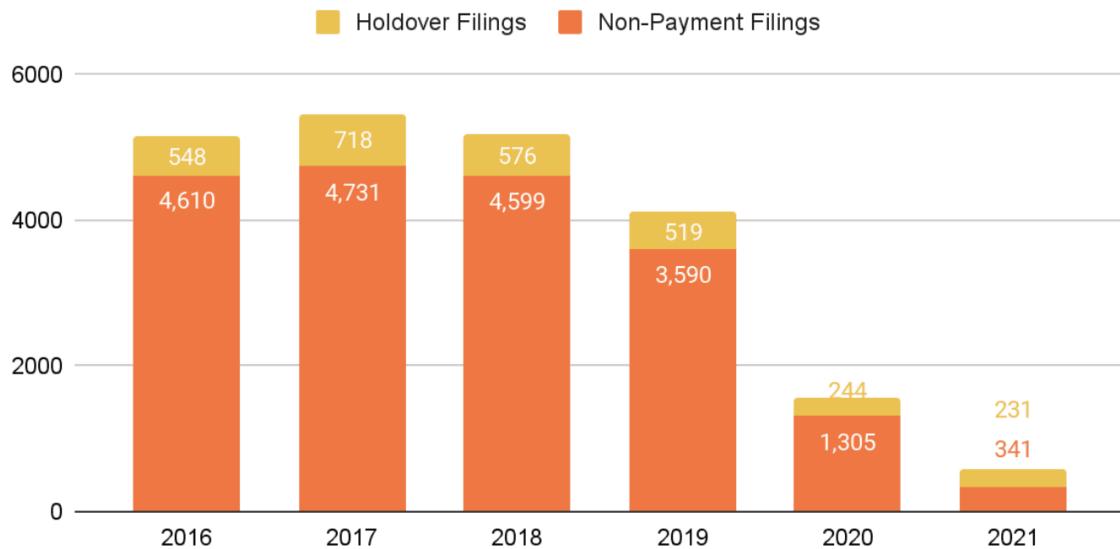
In years past, Albany eviction cases have overwhelmingly been caused by **non-payment of rent claims**, with a typical ratio of **10-15 non-payment eviction cases being filed for every holdover case** in any given year.<sup>3</sup> During the COVID-19 pandemic, non-payment filings initially outpaced holdover claims in an even greater number (**nearly 20:1** in 2020).

By the end of 2021, **non-payment of rent** was still the primary cause of eviction filings in Albany, with **approximately 67%** of tracked cases being brought upon those grounds. **Holdover eviction actions** made up **about 34%** of active cases from April – December of 2021.

**Figure 4:** Albany Eviction Filings by Cause and Year, 2016-2021

### Eviction Filings by Cause

Albany, NY: 2016-2021



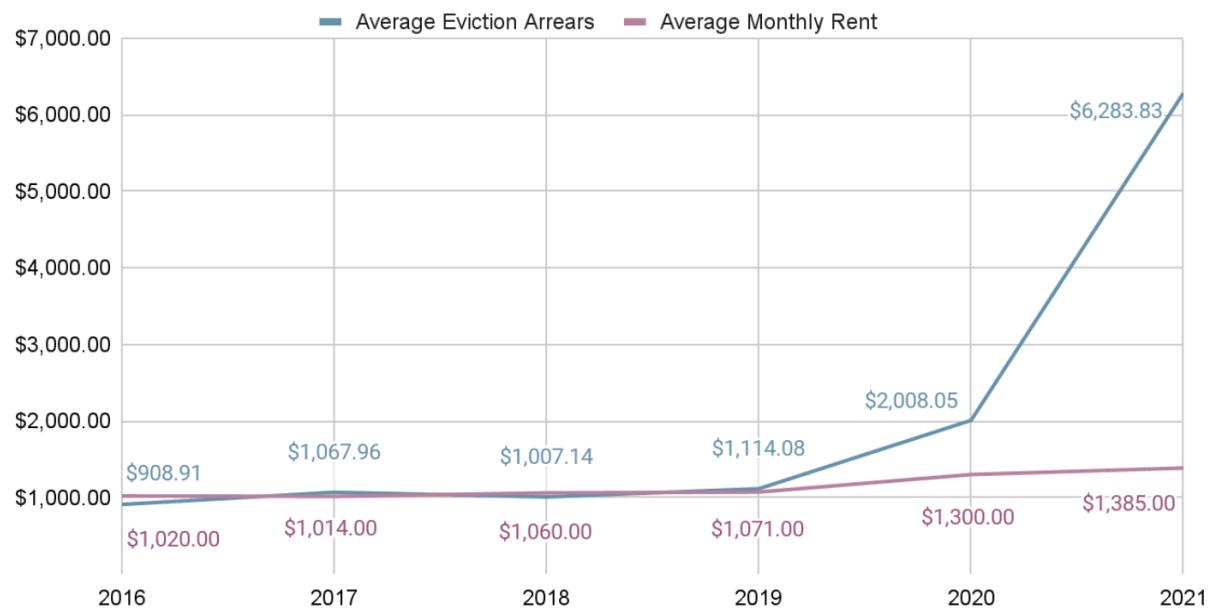
Compared to previous years, Albany tenants were evicted for **greater amounts of rent owed in 2020 and 2021**. Prior to COVID-19, tenants were routinely evicted for arrears of \$909-\$1,114, or about one month's rent. However, due to the economic impacts of the pandemic and the subsequent eviction moratorium in New York State, tenants are increasingly owing more back rent. By the end of 2021, tenants facing eviction owed an **average of \$6,284**.

<sup>3</sup> Holdover evictions include cases predicated upon lease expirations, lease violations, criminal activity, and any other causes.

**Figure 3:** Average Eviction Filing Arrears vs. Average Monthly Rents in Albany, NY, 2016-2021

## Average Eviction Filing Arrears vs. Average Monthly Rents

Albany, NY: 2016- 2021



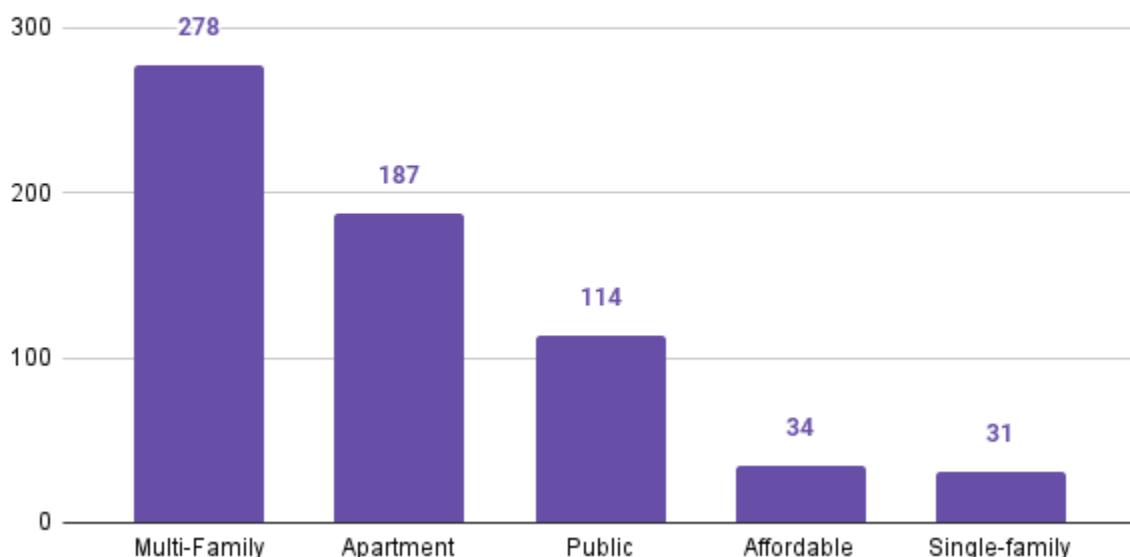
## Evictions by Property Type

The majority of Albany eviction cases took place in **multi-family dwellings** (e.g. duplexes and triplexes; **42.9%**), followed by **apartment buildings** (**28.9%**). The next largest segment of eviction cases were filed in **public housing units** (**17.6%**). A smaller number of evictions were filed by other affordable housing providers (5.2%). Only 4.8% of Albany eviction cases were identified as taking place in single-family homes. A small number of cases occurred in supportive housing units (e.g. healthcare facilities, rehabilitation centers, etc.); a handful of evictions were filed in hotels.

**Figure 5:** Active Eviction Cases by Property Type - Albany, NY, 2021

## Eviction Cases by Housing Type

Albany, NY: 2021



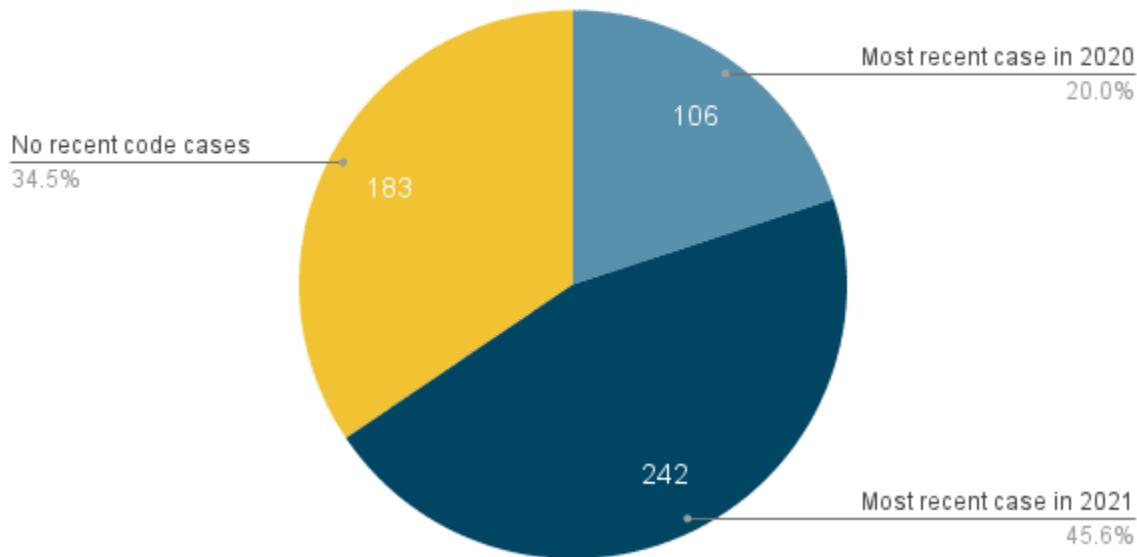
## Evictions and Code Enforcement

The majority of Albany eviction cases were filed in properties with active or recent code violation cases. Among a 2021 sample of 531 identifiable Albany eviction addresses, **nearly two-thirds** (65.5%, n = 348) had an **open code violation case** in 2020 and/or 2021. **Nearly half** (n = 242, 45.6%) had an **open code case in 2021**. For comparison, a random sample of 615 Albany rental properties found that only about one-quarter (n = 150, 24.4%) of properties had an open code case in 2020 and/or 2021; only 15.9% of these properties had an open code case in 2021.

**Figure 6:** Code Violation Histories at Eviction Addresses - Albany, NY, 2021

### Code Violation Histories at Eviction Addresses

Albany, NY: 2021 (N = 531)



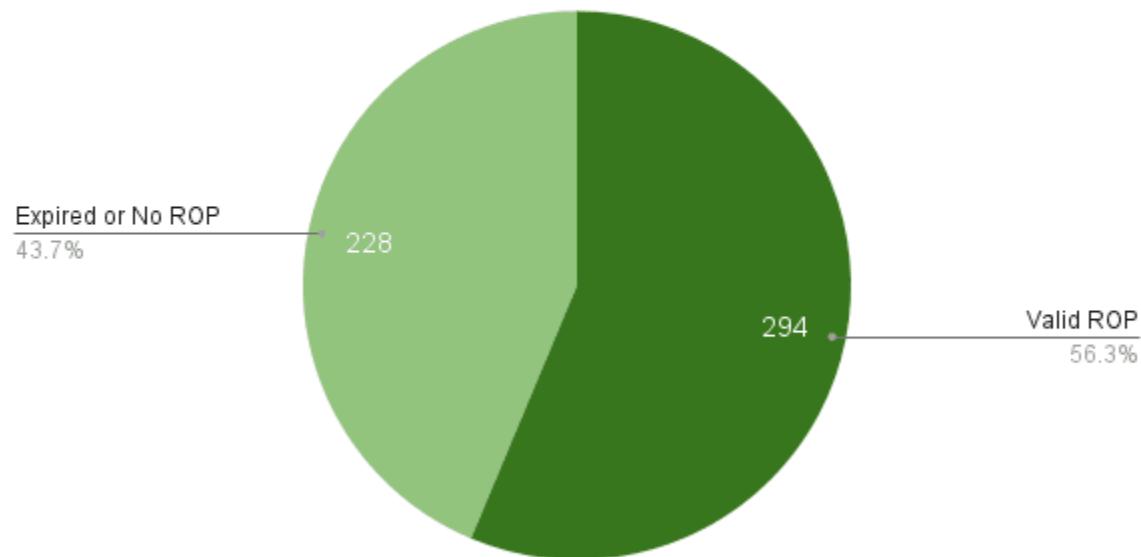
Further research has found that it is not unusual for landlords to file eviction proceedings against tenants living in units that do not have a valid Residential Occupancy Permit (ROP) on file with the City of Albany. It was determined that **nearly 44%** of active eviction cases (n = 228) from April – December of 2021 were making their way through the Court system **without a valid ROP**.<sup>4</sup> In some cases, the ROP had been allowed to expire; in others, the building had never had an ROP to begin with.

<sup>4</sup> Per Albany City Code § 231-132, tenants in Albany are not supposed to be evicted for non-payment of rent from a residence without a Residential Occupancy Permit (ROP), as the landlord is not entitled to collect rent for a unit without a valid ROP.

**Figure 7:** Albany Eviction Filings and Residential Occupancy Permits (ROP's), 2021

### Eviction Cases in Unregistered Rental Properties

**Albany, NY: 2021 (N = 522)**



## Evictions and Policing

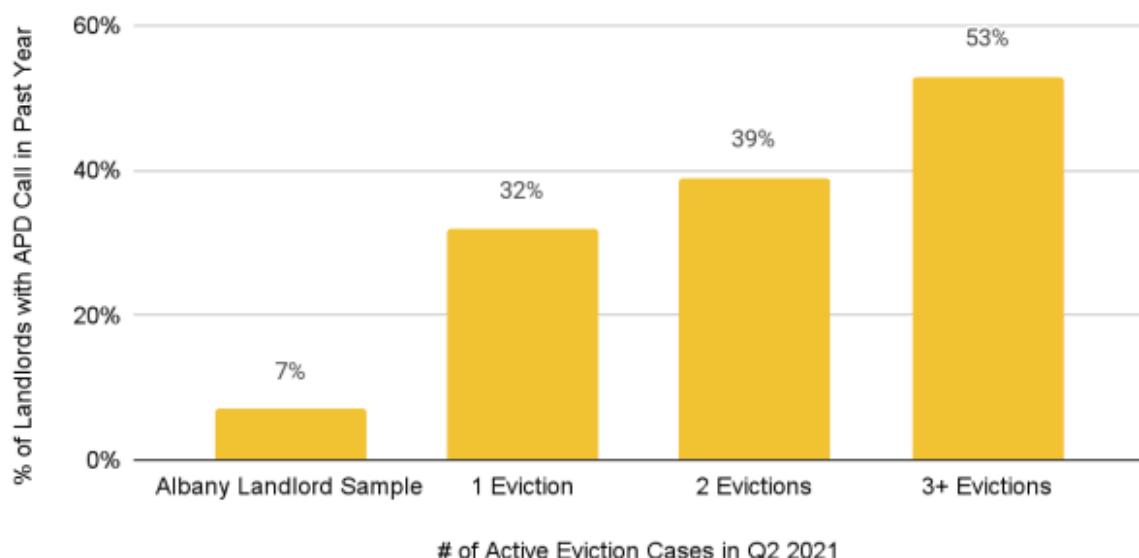
Preliminary research suggests that a recurrent police presence at a property for landlord-tenant disputes seems to be a predictive factor for future eviction proceedings at that address. A 2021 sample of 367 Albany eviction addresses found that **16.6% of eviction properties** ( $n = 61$ ) had had an **APD landlord-tenant call** within a year of the eviction filing. For comparison, a random sample of 617 Albany rental addresses found that only 3.1% of properties ( $n = 19$ ) had been involved in an APD landlord-tenant call within the year prior. This suggests that APD officers are **more than five times more likely to be called to an eviction address** to respond to a landlord-tenant dispute. Furthermore, these same 367 properties generated more than **255 APD response calls for landlord-tenant issues**.

Compared to a general random sample of Albany landlords ( $N = 65$ ), **landlords who filed evictions** were **nearly five times more likely** to have been involved in a **past-year landlord-tenant dispute** that warranted a police response. This was especially true for landlords filing **multiple eviction cases**. Among landlords with two or more active eviction cases during Q2 of 2021, more than a third had been involved in an Albany Police Department (APD) landlord-tenant call within the past year; for landlords having at least three active eviction cases, the prevalence of APD landlord-tenant calls rose to more than half. These findings suggest that turbulent landlord-tenant relationships may play a causal role in the landlord's decision to file an eviction.

**Figure 8:** Albany Landlords – Landlord-Tenant APD Calls vs. Eviction Filings, Q2 of 2021

### Albany Landlords: Landlord/Tenant APD Calls vs. Evictions

**Albany, NY: April - June, 2021**



## Evictions and Tax Delinquency

Research into tax delinquency rates among eviction addresses and a general sample of Albany properties has suggested that eviction properties are nearly twice as likely to be tax delinquent. From a sample of 367 identifiable Albany eviction addresses, **11.7%** (n = 43) were **found to be tax delinquent**. For comparison, among a sample of 1,162 residential Albany addresses, only about 6.8% (n = 79) were tax delinquent during the same time period.

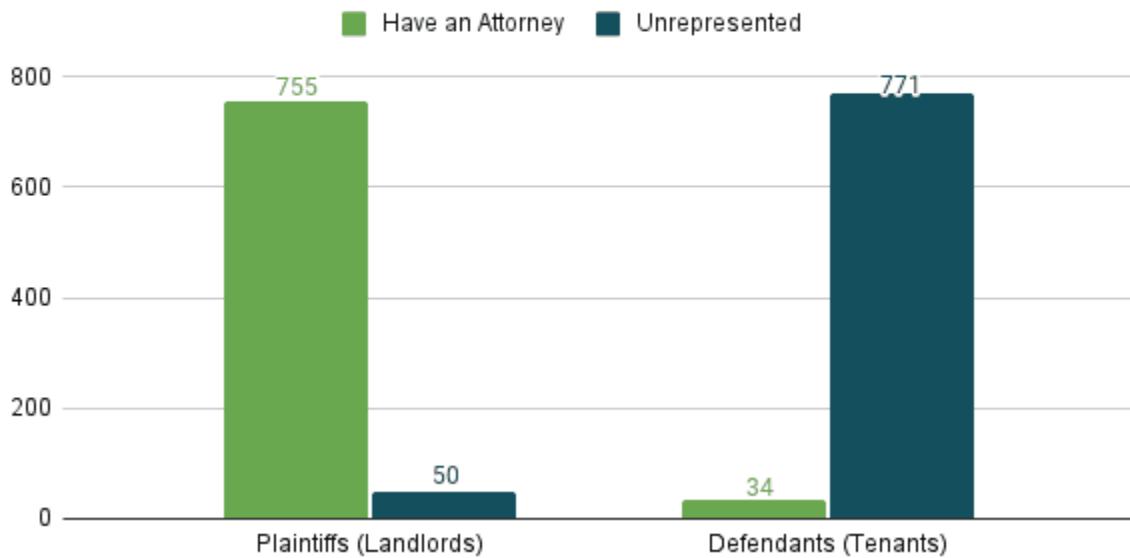
## Evictions and Legal Representation

One of the most glaring disparities that presented in Albany City Court from April – December of 2021 was the rate of legal representation for plaintiffs (landlords) vs. that of defendants (tenants). During this time period, **fewer than 5% of tenants had an attorney on their case**. On the other hand, **nearly 94% of landlords were represented by a lawyer**.

**Figure 9:** Legal Representation in Eviction Court - Albany, NY, 2021

### Legal Representation in Eviction Court

Albany, NY: 2021



In prior years, even fewer tenants were represented by legal counsel, with only **2.47% of tenants represented** in court between 2016-2021. Similarly, landlord representation was slightly lower on average prior to the pandemic, with **88.6% of property owners represented** in court between 2016-2021.

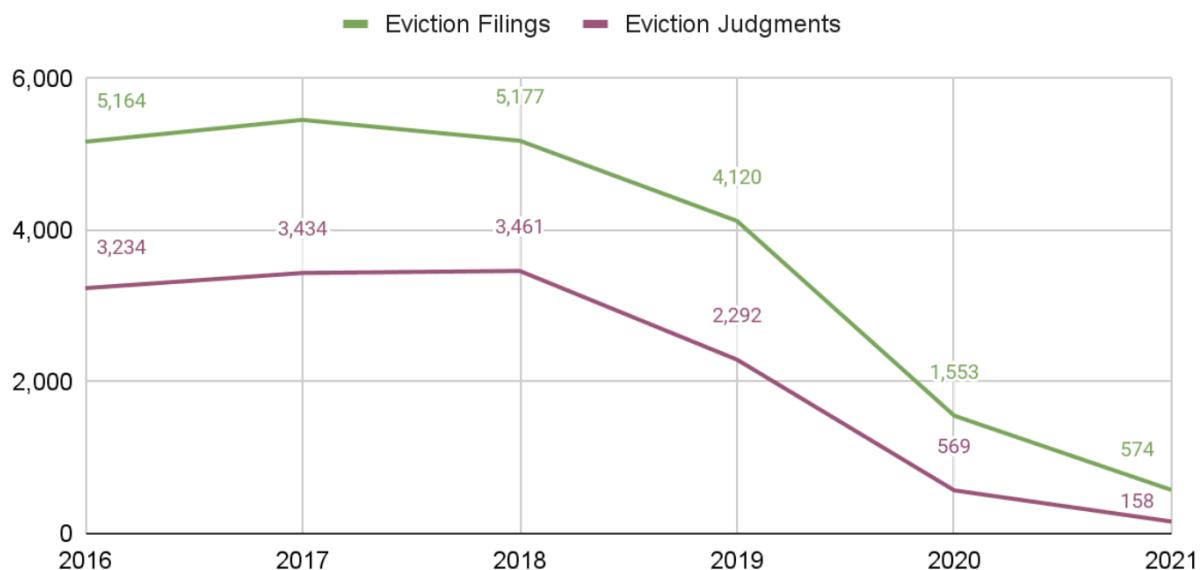
## Eviction Outcomes

The percentage of Albany eviction cases that result in an eviction judgment has **decreased over time**, ranging from **62-67% judgment rates in 2016-2018** to a **36.6% judgment rate in 2020**. The lower eviction judgment rates currently experienced by Albany tenants is largely due to the ongoing statewide eviction moratorium, which prevents non-payment and lease expiration evictions from being granted against tenants who have been impacted economically by COVID-19. Notably, **2019** also saw a significant **drop in the eviction case judgment rate to 55.6%**, vs. 66.9% during the year prior. This change was most likely due to the passage of **New York's Housing Stability and Tenant Protection Act** (HSTPA) during the summer of 2019.

**Figure 10:** Albany Eviction Filings and Judgments, 2016-2021

### Eviction Filings vs. Eviction Judgments

**Albany, NY: 2016-2021**



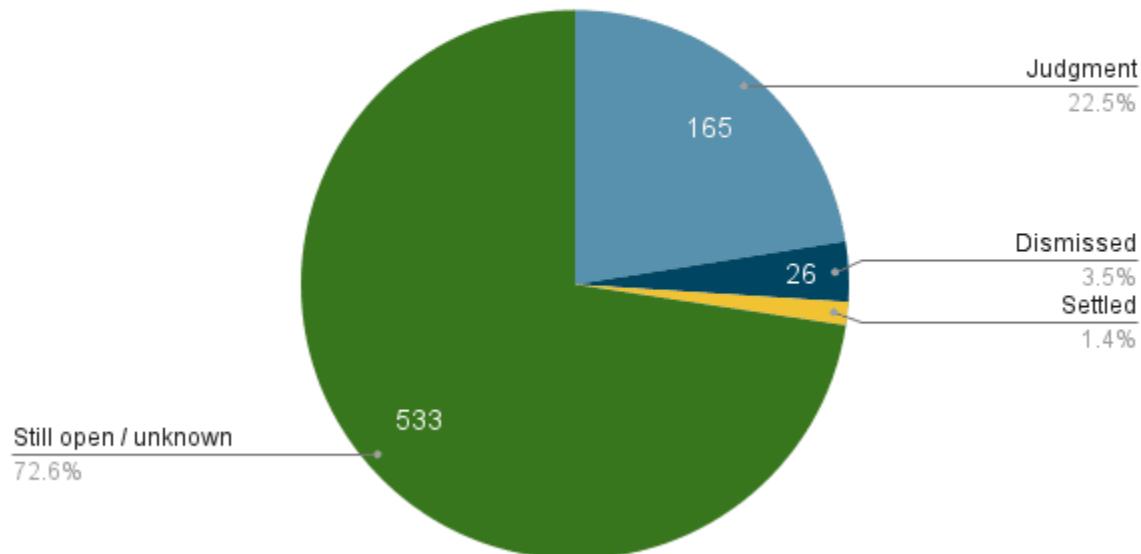
Presently, it is difficult to determine the rate at which eviction judgments are occurring, as delays in the court system (as well as the statewide eviction moratorium) have resulted in many cases being open for months without reaching a final disposition. However, there were at least **165 eviction judgments** from April - December 2021; this made up **about a quarter of all tracked cases** last year. While some of these eviction judgments carry warrants and are actively being carried out (usually in cases where the tenant did not file a *Tenant's Declaration of Hardship* in order to benefit from COVID-related protections), many warrants will not be executed until the expiration of the current New York State eviction moratorium.

In 2021, only **1.4% of tracked cases were settled**, while **4.4% of tracked cases** resulted in a **dismissal**.

**Figure 11:** Albany Eviction Case Outcomes, 2021

## Eviction Case Outcomes

Albany, NY: 2021



## What Lies Ahead

The onset of the COVID-19 pandemic in early 2020 and the subsequent state and federal eviction moratoria led to a decrease in court activities across the board, although there were still **at least 1,500 eviction cases filed in 2020** and **approximately 700 cases filed in 2021**. Currently, the **New York State eviction moratorium** is set to expire on **January 15, 2022**. Up until this point, a trend has emerged of elevated eviction filings in the weeks preceding the anticipated expiration of the moratorium (which was previously set to expire in May and later September of 2021). **December 2021 was no exception** to this, with **more than 100 new evictions** added last month alone. It is likely that filings will only continue to increase, bringing us back to pre-pandemic levels within the year.<sup>5</sup>

## A Note on Methodology & Sources

The raw data for this report was obtained from WebCivil Local's Court Calendar. Cases were collected, entered, and monitored by hand using Microsoft Excel. Tolemi's *Building Blocks* program was also instrumental in accessing City records for such a large number of properties.

1. Data was collected from WebCivil Local's Court Calendar on a weekly basis. Data collected included:
  - Case number
  - Case caption
  - Party names
  - Attorney names
  - Court dates
  - Judgment information.
2. Potential defendant addresses were located using free and paid public records services. These were cross-referenced against City databases of properties owned by the plaintiffs. *To date, nearly 75% of 2021 eviction addresses have been identified.*
3. When a matching address was located, the following data was collected for the property using City data sources:
  - Parcel address
  - Housing type (e.g. apartment, single-family home)
  - Zip code
  - Neighborhood
  - Common Council ward
  - Tax status (delinquent or not)
  - Code violations since 2020
  - ROP status
  - Number and dates of APD calls for landlord-tenant disputes

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<sup>5</sup> Pre-pandemic levels: According to data obtained from the Office of Court Administration, there were 4,120 evictions filed in Albany City Court in 2019. This represents an average of more than 11 new eviction cases per day, impacting an estimated 8,400+ tenants within the City – a prevalence of nearly 1 in 6 renter families.

4. Estimates of the number of residents and children impacted by eviction are based on population demographics from the U.S. Census Bureau:
  - 705+ eviction cases x 2.11 average household size = 1,450+ residents affected
  - 1,450+ residents x 17.7% children = 250+ children affected
5. Per capita eviction estimates are based on the estimated number of renters in each zip code impacted by eviction, divided by the estimated number of renters in that zip code (based on figures from the U.S. Census Bureau and City-Data.com).

For more information about this project, email [Danni Smith](#), Housing Services Advocate for the City of Albany.

The following data sources were used in compiling this report:

- [Albany Police Department](#)
- [Building Blocks](#) by Tolemi
- [City-Data.com](#)
- City of Albany - [Assessor's Office](#)
- City of Albany - [Buildings & Regulatory Compliance](#)
- City of Albany - [Treasurer's Office](#)
- New York State [Unified Court System](#)
- United States [Census Bureau](#)