



Identifying Zip Codes for Expanding Implementation of Section 9-808 of The Philadelphia Code: *Legal Representation in Landlord Tenant Court*

Background

In February 2022, the City of Philadelphia began rolling out a new program of legal representation in Landlord Tenant Court as provided for in Section 9-808 of the Philadelphia Code (also known as “Right to Counsel”), which was signed into law in December 2019. This section provides for “access to free legal representation to low-income residents facing eviction in Landlord Tenant Court; under certain terms and conditions.”¹

In general, this Bill provides for counsel to Philadelphia tenants facing an eviction or subsidy termination who meet certain eligibility requirements. An eligible person, under the Bill, is defined as: “Any person who occupies a dwelling in the City of Philadelphia under a claim of legal right other than the owner, including any tenant in a building owned, operated, or managed by the Philadelphia Housing Authority, whose annual gross income is not in excess of two hundred percent (200%) of the federal poverty guidelines as established and updated periodically by the United States Department of Health and Human Services (42 U.S.C. 9902(2)).”² Section 9-808 (2)(c) of the Bill states that if the Managing Director projects that the need for representation exceeds the resources available to provide such representation, prioritization of needs is acceptable if such prioritization is “...as provided by regulation.”

The regulations implementing the Bill state that the Managing Director’s Office should select at least two zip codes and that: “Zip codes shall be selected by the Managing Director based on need as indicated by eviction data from the most recent year for which such data is available.” This is interpreted to mean that the areas to be selected must be zip codes, rather than smaller geographies such as census tract or larger ones like planning districts, and the selection criteria should be based fundamentally on data found in the Landlord Tenant Court eviction filing records. We note that later in that section there is reference made to an “uptake rate for counsel,” which we interpret to reference eligibility as defined in the Bill (200% of poverty or less).³

In 2021, the Policy Solutions group at Reinvestment Fund (“Policy”) was retained by the City to analyze databases necessary to support a transparent and data-based selection of zip codes consistent with the letter and spirit of the Bill and regulations. Policy’s analysis led to the selection of zip codes 19121 and 19139 for the initial roll out of Right to Counsel. In 2022, Policy updated that analysis to support **the selection of two additional zip codes**. What follows is a description of the updated logic and results of applying that logic to Philadelphia zip codes.

¹ See: <https://phila.legistar.com/LegislationDetail.aspx?ID=3943568&GUID=EC5846F5-CECE-414F-A9F4-CA2F49D698B1&Options=ID|Text|&Search=eviction>

² See: <https://phila.legistar.com/View.ashx?M=F&ID=7968354&GUID=81490A16-B573-4A8D-A95D-FE95D53A1E56>

³ See: <https://r455egulations.phila-records.com/>

Analysis Approach

In 2022 Policy used the same analytic approach as in 2021. We collected and organized the most recent eviction filing data by the zip code location of the rental unit. Using court data, we identified places with large numbers of filings and high filing rates – in other words, where filings affect a significant portion of the renters – as two separate measures of “need.” Given the regulation’s reference to “uptake,” which we interpret as referencing the eligibility requirement (at or below 200% of poverty), we included data on family poverty rates by zip code because, all else equal, areas with the highest poverty rates will have the most “covered individuals” as defined in the regulation.

The 2022 analysis updates all data sources. In 2021 we intentionally departed from the regulation’s prescription that the MDO should rely on eviction data from “...most recent year for which such data is available” because 2020 was not a representative year for eviction filings, 2021 was not complete, and we found that combining two years of filings (2018 and 2019) created more stable results at the zip code level. For this analysis, we aggregated filings from 2020 through June of 2022 to create a sufficiently large and more current picture of need. We used the 2016-2020 5-year American Community Survey from the U. S. Census (ACS) for the number of renter occupied households (used to calculate the filing rate) and for the family poverty rate, an update from the 2015-2019 estimates used previously.

Thus, the analysis is based on three pieces of information (or indicators) for each zip code: (1) number of eviction filings (2020-2022 Q2); (2) percentage of renter occupied households subject to an eviction filing; and (3) family poverty rate. The source of data for indicator #1 is filings from Landlord Tenant Court. Indicator #2 is the percentage of all renter occupied housing units (as reported in the 2016-2020 ACS for Philadelphia zip codes) subject to an eviction filing. Indicator #3 also derives from the ACS. All data sources are governmental and are therefore of known reliability.⁴

Once the data were gathered and organized at the zip code level, zip codes were assigned a rank of 1 through 46 (the total number of zip codes) on each indicator. Because three indicators were combined into an index, a top ranking on any one indicator did not necessarily put a zip code in the top ranking in the final combined ranking. Specifically, the zip code with the greatest number of eviction filings in 2020-2022 (19144 - Germantown) was assigned a 1 and the one with the fewest eviction filings a 46 for the first indicator ranking. Next, the zip code with the highest percentage of its renters facing eviction (i.e., highest eviction filing rate) was scored a 1 (19154 – Northeast Philadelphia) and the one with the lowest percentage a 46. Lastly, the zip code with the highest family poverty rate (19121 – Lower North Philadelphia-West) was scored a 1 and the zip code with the lowest family poverty rate a 46. Using this logic, zip codes with lower scores manifest greater need and potential uptake.

Ranks for each indicator were tallied into a combined rank in which each indicator is considered of equal value – that is, family poverty is weighted neither more nor less heavily than the number of eviction filings or the percent of renters facing an eviction. However, because there are two eviction related indicators, evictions will be more determinative of the final ranking score.

⁴ We note that ACS data are not available for postal zip codes; in fact, the Census creates a “generalization” of zip codes in what they term *Zip Code Tabulation Areas* (ZCTA). Because ACS data were needed for this analysis, although we reference zip codes, in fact the data are for ZCTAs. For a more complete comparison of zip codes and ZCTA, see: <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/zctas.html>.

Analysis Results

Table 1 offers the values (and ranks) for each of the indicators as well as the combined rank score (see also Maps 1 through 4) for the 12 zip codes with the lowest combined scores, i.e., the greatest combined need/uptake potential. The two that had the lowest combined scores (and thus highest rank) in the 2021 analysis, 19121 (Lower North Philadelphia-West) and 19139 (West Philadelphia – Mill Creek/Haddington) remained among the four lowest scoring zip codes. The other two lowest scoring zip codes in 2022 were **19134** (Kensington/Harrowgate) and **19144** (Germantown).

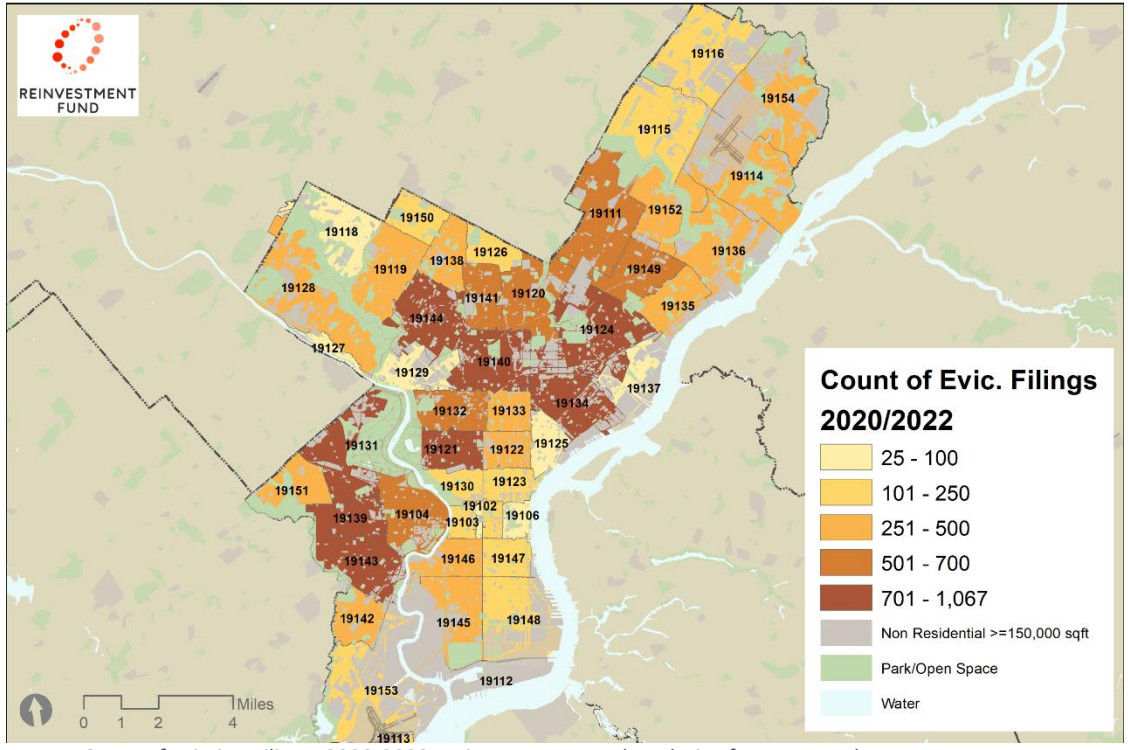
Table 1: Need Indicators, Rank, and Combined Rank For 10 Highest-Ranked Zip Codes, 2022

ZCTA	Evictions, 2020-22		Renters Facing Eviction, 2020-22		Families in Poverty, 2016-2020		Combined Rank
	Count	Rank	Percent	Rank	Percent	Rank	
19121	799	6	3.8%	5	38.1%	1	12
19134	904	4	3.8%	6	35.6%	3	13
19139	941	2	3.6%	10	30.8%	6	18
19144	1,067	1	3.8%	7	20.8%	15	23
19141	609	11	4.1%	2	24.6%	12	25
19124	898	5	3.5%	12	27.7%	9	26
19131	792	7	3.5%	11	26.0%	10	28
19142	476	15	4.1%	3	26.0%	10	28
19140	706	8	3.0%	18	35.6%	2	28
19132	598	13	3.3%	15	30.4%	7	35
19143	911	3	2.8%	23	22.0%	13	39
19120	665	10	2.8%	22	29.3%	8	40

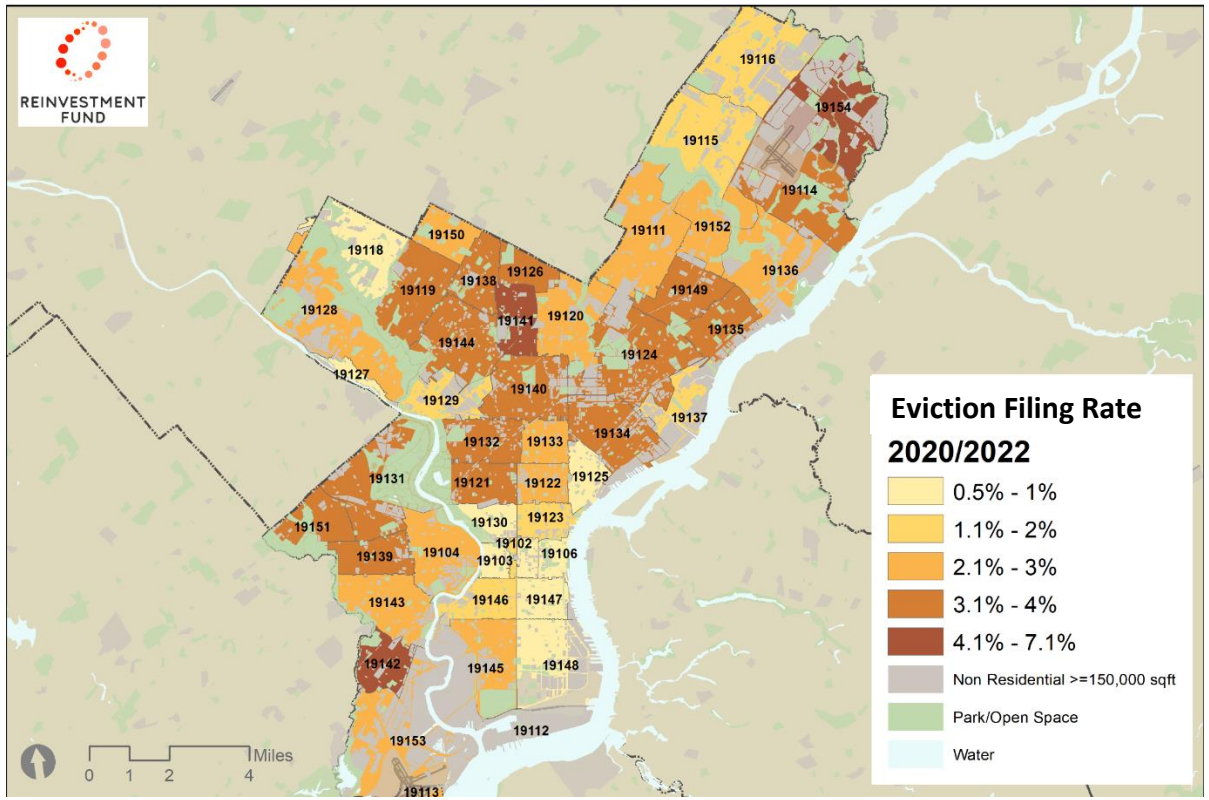
Zip code 19134, spanning parts of Eastern North Philadelphia and the River Wards including parts of Kensington and Port Richmond, had 904 evictions from 2020-2022; the average zip code had 394 eviction filings. Of its 9,589 renters, 3.8% faced an eviction – a rate higher than the citywide zip code average of 2.6%. Additionally, 35.6% of families residing in this zip code had incomes below the poverty line – a family poverty rate substantially above the 15.9% zip code average. The demographics of renters in 19134 are 51.7% Hispanic, 37.8% White, 21.5% Black, and 1.2% Asian. The median renter household income in 19134 is \$26,291, well below the citywide zip code renter income average of \$42,984.

Zip code 19144, covering Germantown in Northwest Philadelphia, had 1,067 evictions from 2020-2022 – the highest number of any zip code in the city – and 3.8% of its 11,345 renters faced an eviction. Additionally, 20.8% of the families residing in this zip code had income below the poverty line. The demographics of renters in 19144 are 73.6% Black, 17.8% White, 5.4% Hispanic, and 2.8% Asian. The median renter household income in 19144 is \$25,437.

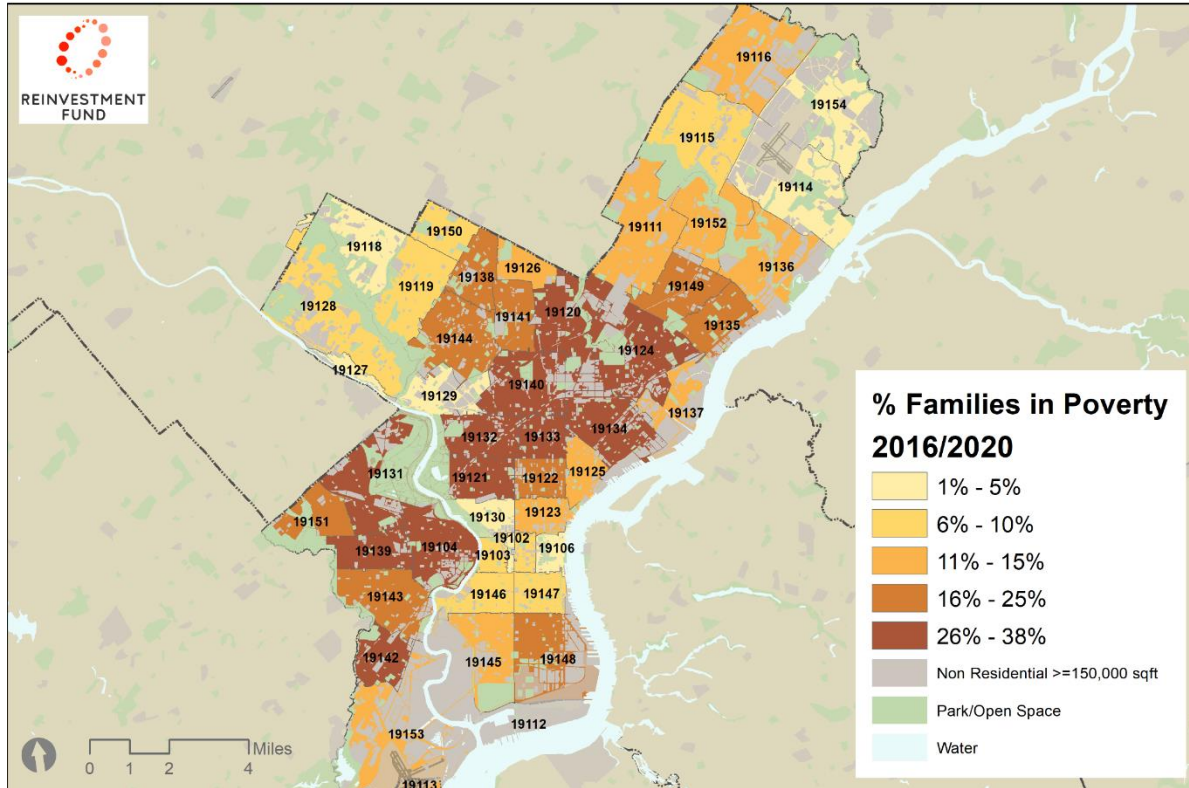
We note that the four highest combined rank zip codes account for more than 20% of the city's eviction filings and just 14% of the city's rental units – evidencing the disproportionately high eviction experience of resident tenants in these areas. These areas have eviction filing rates one and a half times the citywide rate, and also family poverty on average nearly double the citywide zip code average (19144 has the lowest family poverty rate of the four, but at 21% it is above average). Therefore, these are zip codes which evidence a high level of need and high a likelihood of uptake based on levels of poverty so elevated that a substantial share of renters will be eligible for the Right to Counsel program.



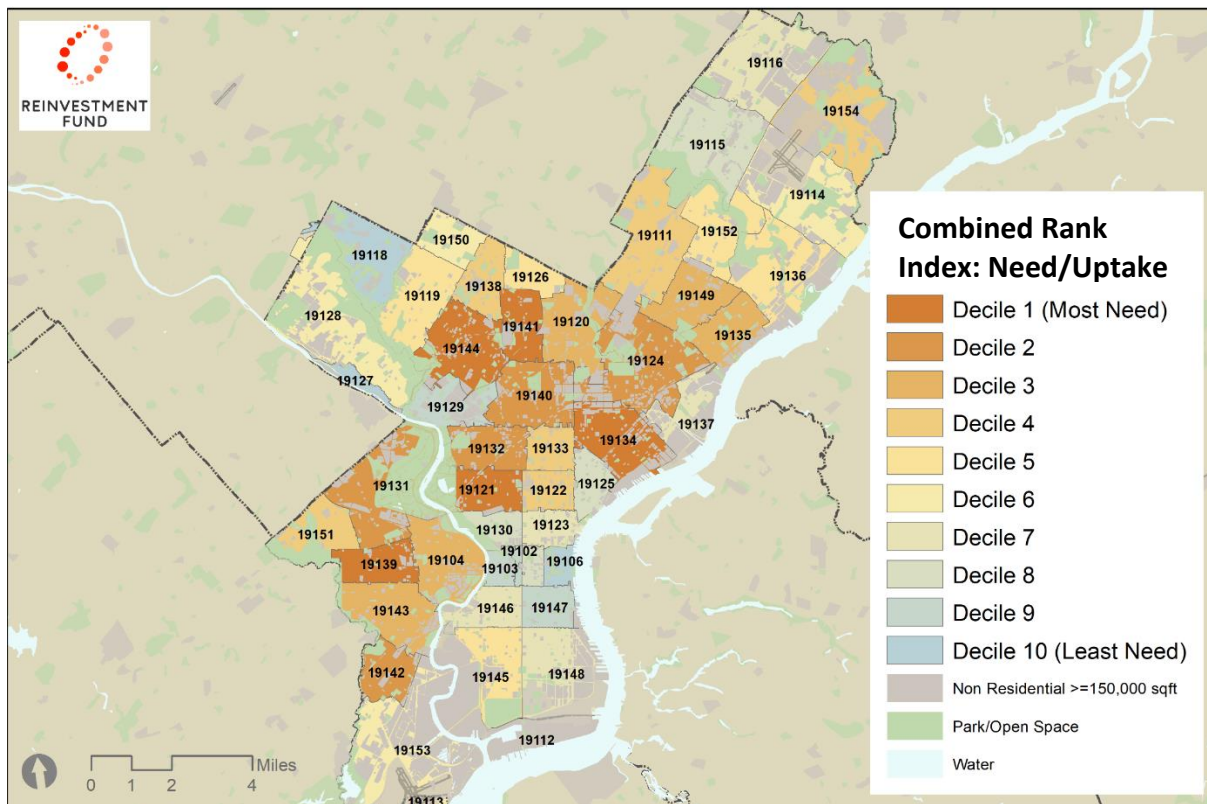
Map 1: Count of Eviction Filings, 2020-2022, Reinvestment Fund analysis of court records.



Map 2: Estimated Percent of Renter Households Subject to an Eviction Filing, 2020-2022, Reinvestment Fund analysis.



Map 3: Percent of Families with Income Below Poverty, U.S. Census American Community Survey 2016-2020



Map 4: Combined Index of Need/Uptake, Reinvestment Fund analysis.

Appendix I: Additional Demographic and Economic Data for Highest Need Philadelphia Zip Codes

ZCTA	Combined Rank	Percent of Renter Households: Asian	Percent of Renter Households: Black	Percent of Renter Households: Hispanic	Percent of Renter Households: White	Count of Renter Households	Median Income of Renter Households
19121	12	3.6%	73.5%	7.9%	19.7%	8,475	\$19,515
19139	18	0.9%	78.9%	4.0%	11.1%	10,334	\$24,467
19134	13	1.2%	21.5%	51.7%	37.8%	9,589	\$26,291
19144	23	2.8%	73.6%	5.4%	17.8%	11,345	\$25,437

Table 2: Zip Code Demographics, U.S. Census American Community Survey 2016-2020