

No. 25-5029

**IN THE UNITED STATES COURT OF APPEALS FOR
THE NINTH CIRCUIT**

MELVIA HARRIS AND ROBERTA KNIGHTEN
Plaintiff-Appellants,

v.
CITY OF LOS ANGELES
Defendant-Appellee;

STRATEGIC ACTIONS FOR A JUST ECONOMY (SAJE)
Intervenor.

Appeal from the United States District Court Central
District of California
No. 5:24-CV-02679

**BRIEF OF AMICI CURIAE
INNER CITY LAW CENTER,
PROFESSOR ANANYA ROY,
AND PROFESSOR GARY BLASI
IN SUPPORT OF INTERVENORS STRATEGIC ACTIONS FOR A
JUST ECONOMY AND AFFIRMANCE**

INNER CITY LAW CENTER
David C. Smith (SBN: 130618)
Dsmith@innercitylaw.org
1309 E. Seventh Street
Los Angeles, CA 90021
Telephone: (213) 891-2880
Facsimile: (213) 891-2888

SOCIAL JUSTICE LEGAL FOUNDATION
Hannah Comstock (SBN 311680)
Hcomstock@socialjusticelaw.org
523 W. 6th Street
Los Angeles, CA 90014
Telephone: (213) 973-4063

TABLE OF CONTENTS

CORPORATE DISCLOSURE STATEMENT.....	1
RULE 29 STATEMENT.....	1
STATEMENT OF AUTHORITY TO FILE.....	1
STATEMENT OF INTEREST	1
SUMMARY OF ARGUMENT	4
ARGUMENT	5
I. Evictions are a Primary Contributor to Homelessness	5
II. Evictions are Harmful to Health	8
III. Evictions Harm Children and their Families	9
IV. Evictions Precipitate Longterm Financial Setbacks	11
V. Evictions Make it More Difficult for Families to Find New Housing	15
VI. Evictions Disproportionately Harm Black Renters.....	17
VII. Evictions Should Not Be Filed Over Small-Dollar Debts	18
CONCLUSION	21

TABLE OF AUTHORITIES

CASES

Hignell v. Gebala, 90 Cal. App. 2d 61, 202 P. 2d 378 (1949).....20

Penn Central Transp. Co. v. City of New York, 438 U.S. 104, 124 (1978).....1

Reed v. South Shore Foods, Inc. 229 Cal. App. 2d 705, 713, 40 Cal. Rptr. 575 (1964).....20

STATUTES

California Code of Civil Procedure

Section 1161.2.....15

OTHER AUTHORITIES

Alejandra Reyes-Velarde, *Evictions Rise, Tenants Scramble for Help as LA County Protections Expire*, CalMatters, (Mar. 23, 2023), [https:// calmatters.org/california-divide/2023/03/eviction-protection-la/](https://calmatters.org/california-divide/2023/03/eviction-protection-la/).....7

Alexander Ferrer, *Corporate Practices of Racial Banishment in Los Angeles*, 46 Urb. Geography 1993, (2025).....17

Binod Acharya et al., *The risk of eviction and the mental health outcomes among US adults*, Preventive Medicine Reports (Sep. 6, 2022)..... 8

Board of Governors of the Federal Reserve System, data available at: https://www.federalreserve.gov/consumerscommunities/sheddataviz/unexpectedexpenses.html#shed_chart.....11

Bruce Ramphal et al., *Evictions and Infant and Child Health Outcomes: A Systematic Review*, JAMA Netw. Open, 8 (April 11, 2023), doi:10.1001/jamanetworkopen. 2023.7612.....11

Christian Leonard, *L.A. renters are some of the most cost-burdened in the U.S. The fires could make things worse*, San Francisco Chronicle (Jan 19, 2025), <https://www.sfchronicle.com/realestate/article/los-angeles-house-rent-20038533.php>.....12

Dep’t. of Hous. & Urban Dev., FY 2023 Fair Market Rent, https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2023_code/2023summary.odn20

Doug Smith & Ruben Vives, *Homelessness Continues to Soar, Jumping 9% in L.A. County, 10% in the City*, L.A. TIMES (June 29, 2023, 9:30 AM), <https://www.latimes.com/california/story/2023-06-29/la-county-homelessnessunhoused-population-count-jumps-increase>.....5

Emily Benfer et al., *Eviction, Health Inequity, and the Spread of COVID-19: Housing Policy as a Primary Pandemic Mitigation Strategy*, 98 J. Urb. Health 1, 4 (2021).....8, 9

Emily Benfer, *Housing is Health: Prioritizing Health Justice and Equity in the U.S. Eviction System*, 22:2 Yale Journal of Health Policy, Law, and Ethics 49–133, 68 (2024).....10

Fiona Geig et al, *Renters vs. Homeowners: Income and Liquid Asset Trends during COVID-19*, JPMorganChase Institute (March 2021), <https://www.jpmorganchase.com/institute/all-topics/community-development/renters-homeowners-income-and-liquid-asset-trends-during-covid-19>.....12

Gary Blasi, *UD Day: Impending Evictions and Homelessness in Los Angeles*, UCLA: Institute on Inequality and Democracy, 18–20 (2020), <https://escholarship.org/uc/item/2gz6c8cv>5, 7, 16

Inst. for Children, Poverty & Homelessness, *On the Map: The Dynamics of Family Homelessness in New York City*, 40 (April 2017), <https://www.icph.org/wp-content/uploads/2017/04/On-the-Map-Family-Homelessness-Full-Report-ExcludingDistricts.pdf>.....6

Jeanne Kuang, *Across California, Eviction Cases Have Returned to — or Surpassed — Prepandemic Levels*, CalMatters (Nov. 21, 2023)
<https://calmatters.org/housing/homelessness/2023/11/california-evictions-postpandemic>.....5

Jenna Chandler, *New Report Underscores Link Between Shocking Number of Evictions, Homelessness*, Curbed Los Angeles (June 10, 2019, 1:19 PM),
<https://la.curbed.com/2019/6/10/18659841/evictionshomelessness-rent-burden-los-angeles>.....5

Kyle Nelson et al., *Spatial Concentration and Spillover: Eviction Dynamics in Neighborhoods of Los Angeles, California, 2005-2015*, 31 Hous. Pol. Debate 670 (2021).....17

Los Angeles Housing Department, Public Policy and Research page,
<https://housing.lacity.gov/strategic-engagement/program-development>.....12

Los Angeles Housing Department, *Eviction Notices Filed*,
<https://housing.lacity.gov/residents/renters/eviction-notices-filed>.....19, 20

Manuela Tobias, *Got An Eviction Notice? This California Website Will Help You File a Response*, CalMatters (July 19, 2022),
<https://calmatters.org/housing/2022/07/california-eviction-tenants-tool/>.....15

Margaret Hagan et al., *Ensuring Housing Stability and Protections for the Nation’s Renters: Avenues for Federal Action*, Housing Policy Debate, Vol. 35, No. 3, 600–615, (2025).....11, 12

Matthew Desmond & Rachel Tolbert Kimbro, *Eviction’s Fallout: Housing, Hardship and Health*, 94 Soc. Forces 295, 296 (2015).....9, 10

Matthew Desmond et al., *Evicting Children*, 92 Soc. Forces 303, 303 (2013).....10

Nick Graetz et al., *Who is Evicted in America*, Eviction Lab (Oct. 3, 2023),
<https://evictionlab.org/who-is-evicted-inamerica/>.....17

Paloma Esquivel, *Thousands of L.A. Tenants Face Eviction Every Year Without Lawyers. The City Wants to Fix That*, L.A. TIMES (Sept. 18, 2024),
<https://www.latimes.com/california/story/2024-09-18/thousands-of-latenants-face-eviction-every-year-without-lawyers-the-city-wants-to-fix-that>.....16

Paul Ong et al., *Economic Impacts of the COVID-19 Crisis in Los Angeles: Identifying Renter-Vulnerable Neighborhoods*, UCLA Center for Neighborhood Knowledge (April 30, 2020), https://www.anderson.ucla.edu/documents/areas/ctr/ziman/UCLA-CNK_OngAssoc._LA_Renter_Vulnerability_4-30-20.pdf.13

Public Counsel & UCLA School of Law Community Economic Development Clinic, *Priced Out, Pushed Out, Locked Out, How Permanent Tenant Protections Can Help Communities Prevent Homelessness & Resist Displacement in LA County* (2019).....5

Robert Collinson et al., *Eviction and Poverty in American Cities*, The Quarterly Journal of Economic, Oxford University Press, 57–120 (2024).....7, 8, 14

Robert Collinson et al., *The Effect of Eviction on Children*, NBER Working Paper, April 2025, <http://www.nber.org/papers/w33659>.....10, 11

Senate Judiciary Committee, Bill Analysis, AB2819 (May 12, 2016), at http://www.leginfo.ca.gov/pub/15-16/bill/asm/ab_2801_2850/ab_2819_cfa_20160620_154723_sen_comm.html.....15

Superior Court of California, Statewide Civil Fee Schedule, at <https://courts.ca.gov/sites/default/files/courts/default/2024-12/statewide-civil-feeschedule-eff01012024.pdf>.....18

UCSF Benioff Homelessness and Housing Initiative, *Toward a New Understanding. The California Statewide Study of People Experiencing Homelessness*, 85 (2023).....15

U.S. Government Accountability Office, *Better HUD Oversight of Data Collection Could Improve Estimates of Homeless Population*, GAO-2—433(2020).....6

Zillow Research, *Homelessness Rises Faster Where Rent Exceeds a Third of Income* (2018) (<https://www.zillow.com/research/homelessness-rent-affordability-22247/#:~:text=Communities%20where%20people%20spend%20more,increases%20the%20risk%20of%20homelessness>).....6

CORPORATE DISCLOSURE STATEMENT

In accordance with Federal Rule of Appellate Procedure 26.1 and 29(a)(4)(A), Amicus Inner City Law Center states that it is a 501(c)(3) not-for-profit organization with no parent corporation. No publicly owned corporation holds ten percent or more of the stock of Inner City Law Center, as it does not issue stock.

RULE 29 STATEMENT

In accordance with Federal Rule Appellate Procedure 29(a)(4)(E), Amici state that no counsel for a party authored this brief in whole or in part, and no person or entity, other than Amici, made a monetary contribution to the preparation or submission of the brief.

STATEMENT OF AUTHORITY TO FILE

In accordance with Federal Rule of Appellate Procedure 29(a)(2), Amici submit this brief without a motion for leave to file because all parties before the Court in this proceeding have consented to its filing.

STATEMENT OF INTEREST

Amici curiae are a nonprofit law firm focused on housing issues and scholars at the University of California, Los Angeles (UCLA) focused on urban planning, social inequality, and housing justice. Because of their research and scholarship on housing inequity and their direct work with Los Angeles tenants who are actively facing or at risk of eviction, Amici are acutely interested in this litigation.

Inner City Law Center is a 501(c)(3) nonprofit law firm that has provided free legal services to low income Angelenos for over forty-five years. Our mission is to ensure access to decent, safe, and fully habitable housing for the enormous number of homeless and working poor individuals and families residing in Los Angeles County. Each year, more than 150 staff and 500 volunteers at Inner City Law Center provide free, quality legal representation to thousands of people across Los Angeles County who have nowhere else to turn. All our clients struggle with housing instability. Approximately 30 percent of our clients are unhoused when they first come to us. The other 70 percent are precariously housed and working to hold onto their housing. Last year, 44 percent of our clients had annual household incomes of less than \$10,000. Many of our clients benefit from the policies that Appellants have challenged in this lawsuit.

Ananya Roy is a Professor of Urban Planning, Social Welfare, and Geography and the Meyer and Renee Luskin Chair in Inequality and Democracy at UCLA. Professor Roy's research and scholarship has centered on poverty and inequality, including work that analyzes the displacement of working-class communities of color from urban cores to the far peripheries of metropolitan regions. Professor Roy is the principal investigator on several grants and research projects concerned with housing equity in Los Angeles. Professor Roy is also the inaugural Director of the **UCLA Luskin Institute on Inequality and Democracy**, which produces research on the displacement and dispossession of vulnerable communities in Los Angeles. The Institute is one of the country's leading research centers on housing precarity, homelessness, and tenant protections.

Gary Blasi is a Professor of Law Emeritus at the UCLA School of Law. When he joined the UCLA faculty in 1991, he had more than 15 years' experience representing both low-income tenants and homeless individuals and families in Los Angeles. As a researcher and academic, he conducted research and published widely on the circumstances confronting low-income tenants and homeless individuals, particularly in Los Angeles. He has conducted and published extensive research and investigations in areas such as the regulation of slum housing in Los Angeles and the potential homelessness of hundreds of thousands of Los Angeles tenants and their families during the first year of the COVID-19 pandemic.

Inner City Law Center, Professor Roy, and Professor Blasi have worked together on many projects over the years, including, for example, the Tenant Power Toolkit, which is an online platform that allows California tenants who are unable to find legal assistance to prepare and file the court documents required to defend an eviction case. The Tenant Power Toolkit has been used by more than 8,000 tenants in Los Angeles County alone.

SUMMARY OF ARGUMENT

Evictions inflict a social cost on all realms of life. They are a primary driver of homelessness, they have negative health consequences—especially for families and children, they trigger long-term financial setbacks for people who are already living in economic precarity, they make it more difficult to find new housing, and they disproportionately impact Black renters in particular.

The City of Los Angeles has a strong interest in its residents having safe and stable housing. The FMR Eviction Threshold, Four-Percent Rent Cap and Relocation Fee Requirement that plaintiffs have challenged are reasonable guardrails that appropriately seek to increase housing stability for the most vulnerable Angelenos. These policies clearly arise from a “public program adjusting the benefits and burdens of economic life to promote the common good.”¹

¹ *Penn Central Transp. Co. v. City of New York*, 438 U.S. 104, 124 (1978).

For the reasons discussed herein, Amici Inner City Law Center, Professor Ananya Roy, and Professor Gary Blasi respectfully request that the Court affirm the dismissal of all plaintiffs' claims.

ARGUMENT

I. Evictions are a Primary Contributor to Homelessness

Homelessness is a longstanding problem in Los Angeles.² Eviction is a primary driver of homelessness in Los Angeles and nationwide.³ This is not surprising. For a person to become unhoused, two basic components must exist—the person must lose their existing housing and be unable to obtain new housing. Eviction creates the first component and makes the second more likely as well.

The scholarly literature connects evictions to homelessness.⁴ In one recent article, researchers examined a large set of homelessness data and eviction data and

² See Doug Smith & Ruben Vives, *Homelessness Continues to Soar, Jumping 9% in L.A. County, 10% in the City*, L.A. TIMES (June 29, 2023, 9:30 AM), <https://www.latimes.com/california/story/2023-06-29/la-county-homelessnessunhoused-population-count-jumps-increase>

³ Gary Blasi, *UD Day: Impending Evictions and Homelessness in Los Angeles*, UCLA: Institute on Inequality and Democracy, 18–20 (2020). Retrieved from <https://escholarship.org/uc/item/2gz6c8cv>.

⁴ See generally, Public Counsel & UCLA School of Law Community Economic Development Clinic, *Priced Out, Pushed Out, Locked Out, How Permanent Tenant Protections Can Help Communities Prevent Homelessness & Resist Displacement in LA County* (2019) (discussing data showing link between eviction and homelessness); Jenna Chandler, *New Report Underscores Link Between Shocking Number of Evictions, Homelessness*, Curbed Los Angeles (June 10, 2019, 1:19 PM), <https://la.curbed.com/2019/6/10/18659841/evictionshomelessness-rent-burden-los-angeles> .

found “a consistent positive association between the prior-year eviction filing rate and the rate of sheltered homelessness.”⁵

The City of Los Angeles has a strong interest in limiting how quickly rents rise because there is compelling evidence that even small increases in rent can increase homelessness in immediate, measurable ways. In 2020, the U.S. Government Accountability Office “found median rent increases of \$100 a month were associated with a 9% increase in homelessness.”⁶ Similarly, Zillow-sponsored research found that “[i]f the share of income people spend on rent increases by two percentage points in Los Angeles, CA, 4,227 more people are predicted to experience homelessness.”⁷

Professor Gary Blasi, in an analysis of eviction risk during the Covid-19 pandemic, noted that, “Even before the pandemic, the lack of adequate income to

The same trend exists nationwide. See Jeanne Kuang, *Across California, Eviction Cases Have Returned to — or Surpassed — Prepandemic Levels*, CalMatters (Nov. 21, 2023), <https://calmatters.org/housing/homelessness/2023/11/california-evictions-postpandemic> (noting that “a nationwide study published this year found increases in eviction filings are associated with slight upticks in the population of homeless people living in shelters”).

⁵ *Id.* at 6.

⁶ U.S. Government Accountability Office, *Better HUD Oversight of Data Collection Could Improve Estimates of Homeless Population*, GAO-2—433 (2020) (<https://www.gao.gov/products/gao-20-433>).

⁷ Zillow Research, *Homelessness Rises Faster Where Rent Exceeds a Third of Income* (2018) (<https://www.zillow.com/research/homelessness-rent-affordability-22247/#:~:text=Communities%20where%20people%20spend%20more,increases%20the%20risk%20of%20homelessness>).

pay rapidly increasing rent was already the leading cause of homelessness in Los Angeles County.”⁸ Further, “the primary economic hardship causing rising homelessness [is] the dramatic increase in rents over the past several years, accompanied by stagnant wages.”⁹

In a large-scale observational study, researchers analyzed the impact of eviction on nearly one million tenants and found that “eviction causes a large increase in homelessness both in the first year after a case (through increases in emergency shelter use) and beyond (through elevated use of homelessness services).”¹⁰

Tenants who are living in extreme poverty and are then evicted are at substantial risk of becoming homeless. In a study of unhoused families seeking short-term shelter in New York City, 25 percent of families seeking shelter reported that eviction was the reason they had become homeless.¹¹ In Los Angeles, “53% of people experiencing first-time homelessness cit[ed] ‘economic hardship’ as a leading factor.”¹²

⁸ Blasi, *supra* n.3, at 7.

⁹ *Id.*

¹⁰ Robert Collinson et al., *Eviction and Poverty in American Cities*, The Quarterly Journal of Economic, Oxford University Press, 57–120, 103 (2024).

¹¹ Inst. for Children, Poverty & Homelessness, *On the Map: The Dynamics of Family Homelessness in New York City*, 40 (April 2017), <https://www.icph.org/wp-content/uploads/2017/04/On-the-Map-Family-Homelessness-Full-Report-Excluding-Districts.pdf>.

¹² Blasi, *supra* n.3, at 20.

II. Evictions are Harmful to Health

Evictions have broad-ranging and deleterious impacts on tenants' health. Professor Emily Benfer of George Washington University¹³ and coauthors have compiled a large body of literature finding that “[e]viction and housing instability are associated with numerous comorbidities, including increased incidence of high blood pressure, higher mortality regardless of cause, increased risk of coronary heart disease independent of other underlying risk factors, poor self-reported general health, and an increased propensity to smoke.”¹⁴ Evictions and even *threats* of eviction are linked to increased anxiety, depression, mental health hospitalization, and suicide.¹⁵ Eviction is correlated with higher rates of physical and sexual assault for women, as well as future housing precarity.¹⁶ In an observational study linking eviction and hospital use in New York, people were 30 percent more likely to have a hospital visit and more than *twice* as likely to visit a hospital for a mental health reason in the year following an eviction.¹⁷

¹³ Professor Benfer was also Senior Policy Advisor to the White House during 2021-2022, focusing on housing policy.

¹⁴ Emily Benfer et al., *Eviction, Health Inequity, and the Spread of COVID-19: Housing Policy as a Primary Pandemic Mitigation Strategy*, 98 J. Urb. Health 1, 4 (2021).

¹⁵ *Id.*; see also Binod Acharya et al., *The risk of eviction and the mental health outcomes among US adults*, Preventive Medicine Reports (Sep. 6, 2022).

¹⁶ Benfer (2021), *supra* n. 14, at 4.

¹⁷ Collinson, *supra* n.10, at 110.

As with other downstream effects of eviction, discussed herein, the toll of poor health and health care costs that stem from an eviction can make future evictions more likely because poor health may cause tenants to miss work and health care costs may make it harder for tenants to pay rent. “In this way, eviction deepens long-standing patterns of economic and housing instability and poor health.”¹⁸

III. Evictions Harm Children and their Families

A 2015 study of the impact of eviction on low-income mothers in urban areas found that “mothers who were evicted in the previous year experienced more material hardship, were more likely to suffer from depression, reported worse health for themselves and their children, and reported more parenting stress.”¹⁹ Mothers who experienced eviction had increased rates of poverty and well as higher rates of poor physical and mental health for both themselves and their children.²⁰

Some impacts were “stubbornly resilient, enduring years after families were forced from their homes.”²¹ The authors note specifically that due to the negative

¹⁸ Benfer (2021), *supra* n.14, at 4.

¹⁹ Matthew Desmond & Rachel Tolbert Kimbro, *Eviction's Fallout: Housing, Hardship and Health*, 94 Soc. Forces 295, 296 (2015).

²⁰ *Id.* at 5–7, 22–23.

²¹ *Id.* at 23.

health impacts of eviction, “directing eviction-prevention aid upstream potentially could lower healthcare costs incurred downstream.”²²

When tenants are evicted while pregnant, their newborn infants have a higher likelihood of low birth weight, preterm birth, neonatal intensive care unit stays, extended hospitalization, and even a greater rate of infant mortality.²³

In addition to its negative health impacts, evictions impede children’s development and disrupt their education.²⁴ As Benfer notes, “eviction often increases household instability, which is particularly damaging to children and impacts their educational development and well-being for years.”²⁵ For example, children who have experienced eviction are 12.5 percent less likely to graduate high school.²⁶ An eviction abruptly uproots a child’s life. During a school year, this can mean missing school, moving farther from school, or even changing

²² *Id.* at 25.

²³ *Id.*

²⁴ *Id.* at 66; Matthew Desmond et al., *Evicting Children*, 92 Soc. Forces 303, 303 (2013); Robert Collinson et al., *The Effect of Eviction on Children*, NBER Working Paper, April 2025, <http://www.nber.org/papers/w33659>.

²⁵ Emily Benfer, *Housing is Health: Prioritizing Health Justice and Equity in the U.S. Eviction System*, 22:2 Yale Journal of Health Policy, Law, and Ethics 49–133, 68 (2024).

²⁶ Collinson (2025), *supra* n.24, at 4.

schools midyear. This disruption leads to declines in school engagement and academic performance.²⁷

A systematic review of quantitative studies of the impact of eviction on children found that children who experienced eviction “had lower scores on measures of infant developmental risk, academic performance, working memory, worse parent-rated child health.”²⁸ For instance, nine-year-old children “who experienced an eviction in the year before testing had lower scores on assessments of working memory, math, and vocabulary.”²⁹ These education impacts are one important reason why eviction is an “important channel for the intergenerational transmission of poverty.”³⁰

IV. Evictions Precipitate Longterm Financial Setbacks

Many Americans live on thin margins. From 2013 to 2024, the Federal Reserve has surveyed Americans as to whether they have savings of at least \$400, in the event of an unexpected expense.³¹ With some fluctuation over the years,

²⁷ Margaret Hagan et al., *Ensuring Housing Stability and Protections for the Nation’s Renters: Avenues for Federal Action*, 35:3 Housing Policy Debate 600–615, 602 (2025).

²⁸ Bruce Ramphal et al., *Evictions and Infant and Child Health Outcomes: A Systematic Review*, JAMA Netw. Open, 8 (April 11, 2023) doi:10.1001/jamanetworkopen.2023.7612.

²⁹ *Id.* at 8.

³⁰ Collinson (2025), *supra* n.24, at 1.

³¹ See Bd. of Governors of the Fed. Rsrv. Sys., *Adults who would cover a \$400 emergency expense using cash or its equivalent*, data available at:

between one-third and one-half of people surveyed responded that they do *not* have \$400 in available cash. This precarity is more pronounced among renters, who have lower income and fewer savings than homeowners.³²

Nearly 50 percent of renter households nationally are “cost-burdened,” which means they spend more than 30 percent of their income on rent.³³ A quarter of renter households are severely cost-burdened, which means that they spend at least 50 percent of their income on rent.³⁴ These rates are even more striking in Los Angeles, where 57% of renters are cost-burdened, including 31% of renters who are severely burdened.³⁵

Over 60 percent of Los Angeles households are renters. Within Los Angeles, the degree of rent-burdenedness is not spread equally. A 2020 study by researchers at UCLA examining the rates of cost-burdened tenants in different neighborhoods found that in the most vulnerable neighborhoods (i.e., the most cost-burdened and

https://www.federalreserve.gov/consumerscommunities/sheddataviz/unexpectedexpenses.html#shed_chart. Last accessed January 26, 2026.

³² E.g., Fiona Geig et al, *Renters vs. Homeowners: Income and Liquid Asset Trends during COVID-19*, JPMorganChase Institute (March 2021), <https://www.jpmorganchase.com/institute/all-topics/community-development/renters-homeowners-income-and-liquid-asset-trends-during-covid-19>.

³³ Hagan, *supra* n.27, at 601.

³⁴ *Id.*

³⁵ Christian Leonard, *L.A. renters are some of the most cost-burdened in the U.S. The fires could make things worse*, San Francisco Chronicle (Jan 19, 2025), <https://www.sfchronicle.com/realestate/article/los-angeles-house-rent-20038533.php>.

most vulnerable to eviction), 38 percent of renters spent *over half* their income on rent.³⁶ Highest-vulnerability neighborhoods were heavily Latino and also had disproportionately high Black populations.³⁷ For instance, the study found that “twice as many black Angelenos reside in high vulnerability neighborhoods than in low-vulnerability areas.”³⁸ High-vulnerability areas also disproportionately included renter households with children.³⁹

Many renter households are already operating on an extremely tight budget and have no buffer for unexpected spending. A rent shortfall of a few hundred dollars can precipitate an eviction filing. This stress pervades daily life for renter families, as they skimp on other necessary expenses or take on interest-accumulating debt in order to make rent. This is a necessary calculation because, unsurprisingly, an eviction case itself delivers a heavy blow to tenants’ financial stability.

³⁶ Paul Ong et al., *Economic Impacts of the COVID-19 Crisis in Los Angeles: Identifying Renter-Vulnerable Neighborhoods*, UCLA Center for Neighborhood Knowledge, 13 (April 30, 2020), https://www.anderson.ucla.edu/documents/areas/ctr/ziman/UCLA-CNK_OngAssoc._LA_Renter_Vulnerability_4-30-20.pdf.

³⁷ *Id.* at 14.

³⁸ *Id.* at 13.

³⁹ *Id.* at 15.

Robert Collinson and coauthors conducted an observational study of 992,000 tenants sued in eviction cases in New York and Cook County over a 9-year and 16-year period, respectively. They found that when a person is evicted, the consequences on their financial health linger for *years*.⁴⁰ In fact, some of the worst financial impacts of an eviction are delayed, as the toll of increased debt and a decreased credit score compounds.⁴¹ After an eviction, a tenant has less access to credit, an increased cost of borrowing, and an eviction record that makes it more difficult to find new housing. These setbacks have a cascading effect: taking on debt with higher interest rates leads to more debt and a prolonged housing search extends the time in temporary housing or homelessness, which makes it difficult to maintain stable employment. The Collinson study found “reductions in the financial health index that are comparable to the effect of having a Chapter 13 bankruptcy filing dismissed.”⁴² In the years following an eviction, tenants also experience reduced earnings, “with particularly large effects for female and Black tenants.”⁴³

In a cruel cycle, financial precarity leads to evictions which in turn lead to greater financial precarity.

⁴⁰ Collinson (2024), *supra* n.10, at 109.

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.* at 114.

V. Evictions Make it More Difficult for Families to Find New Housing

After a household is evicted, the record of their eviction can make it difficult for them to obtain housing in the future. The most comprehensive survey in recent years of Californians' who are experiencing homelessness found that 47 percent "of participants indicated that eviction or credit history were key barriers to exiting homelessness."⁴⁴

Under California law, there is no public access to eviction case documents when they are initially filed. However, if a landlord prevails in the case, the record becomes publicly accessible.⁴⁵ The California Legislature has noted the deleterious effect that an eviction record has on a tenant's search for housing:

"Companies capture and publish lists of these tenants' names, and this information may remain on a tenant's credit report for up to seven years. In other words, mere involvement in an eviction lawsuit becomes grounds for tenant blacklisting."⁴⁶

Approximately 40 percent of eviction cases end with a default judgment.⁴⁷ A 2018 analysis of California court records found that nearly two thirds (62 percent)

⁴⁴ UCSF Benioff Homelessness and Housing Initiative, *Toward a New Understanding. The California Statewide Study of People Experiencing Homelessness*, 85 (2023).

⁴⁵ Cal. Civ. Pro. Code § 1161.2.

⁴⁶ Senate Judiciary Comm., Bill Analysis, AB2819 (May 12, 2016), at http://www.leginfo.ca.gov/pub/15-16/bill/asm/ab_2801-2850/ab_2819_cfa_20160620_154723_sen_comm.html

⁴⁷ See Manuela Tobias, *Got An Eviction Notice? This California Website Will Help You File a Response*, CalMatters (July 19, 2022), <https://calmatters.org/housing/2022/07/california-eviction-tenants-tool/>.

of eviction cases were resolved within 30 days, and the “great majority of all of the cases that were closed within 30 days were cases in which a default judgment was entered against a tenant.”⁴⁸

Tenants in many cases cannot afford an attorney. The City and County of Los Angeles are rolling out Right to Counsel programs for low-income tenants facing eviction, but those programs are limited by capacity. For example, the Los Angeles Times noted that in 2023, 7,446 tenants applied for legal representation through legal services providers, but the program only had capacity to provide lawyers for 997 of these tenants.⁴⁹ While legal services organizations have boosted their capacity since 2023, it is still the case that most tenants are without representation in court. For these unrepresented tenants, there is a significant

⁴⁸ Blasi, *supra* n.3, at 11.

⁴⁹ Paloma Esquivel, *Thousands of L.A. Tenants Face Eviction Every Year Without Lawyers. The City Wants to Fix That*, L.A. TIMES (Sept. 18, 2024), <https://www.latimes.com/california/story/2024-09-18/thousands-of-latenants-face-eviction-every-year-without-lawyers-the-city-wants-to-fix-that> . This problem is not unique to Los Angeles. An article by CalMatters notes, “It’s one of the most often-cited problems with right to counsel programs: There simply aren’t enough experienced tenant attorneys to go around. That mismatch has become more obvious this year as eviction moratoria have expired across California, leaving courts clogged with cases in some areas. In counties like Alameda and Los Angeles, which don’t have right to counsel ordinances but have networks of tenant attorneys offering free legal help, it can be difficult to hire for a job that, while potentially rewarding, pays less than the private sector.” Felicia Mello, *As California Evictions Boom, Whether Tenants Get Lawyers Depends on Where They Live*, CalMatters (Jan. 8, 2024), <https://calmatters.org/california-divide/2024/01/eviction-lawyerscalifornia/> .

chance that they will be unable to effectively raise legal defenses that might keep them in their homes.

VI. Evictions Disproportionately Harm Black Renters

Eviction and vulnerability to eviction have a disproportionate impact on Black renters. The per-capita numbers are stunning. Nationwide, Black renters comprise less than one-fifth of renters in America, but *over half* of eviction filings are against Black renters.⁵⁰ “Between 2007 and 2016, roughly one in five Black adult renters were living in a household filed against for eviction and roughly one in ten were evicted each year. By contrast, on average, one in 24 white adult renters was threatened with eviction annually and one in 40 was evicted.”⁵¹ The numbers in Los Angeles are similarly troubling. Evictions in Los Angeles are concentrated in neighborhoods with higher Black populations.⁵² Another recent study found that corporate landlords were most likely to target Black renters in Los Angeles for eviction—while Black renters comprise only 14 percent of tenants, they comprise 41.5 percent of eviction filings.⁵³

⁵⁰ Nick Graetz et al., *Who is Evicted in America*, Eviction Lab (Oct. 3, 2023), <https://evictionlab.org/who-is-evicted-in-america/>.

⁵¹ *Id.*

⁵² Kyle Nelson et al., *Spatial Concentration and Spillover: Eviction Dynamics in Neighborhoods of Los Angeles, California, 2005-2015*, 31 *Hous. Pol. Debate* 670 (2021).

⁵³ Alexander Ferrer, *Corporate Practices of Racial Banishment in Los Angeles*, 46 *Urb. Geography* 1993, 10 (2025).

VII. Evictions Should Not Be Filed Over Small-Dollar Debts

Many landlords file unlawful detainers over relatively small amounts. Before the City of Los Angeles passed the tenant protections that Appellants are challenging, Inner City Law Center routinely saw landlords filing unlawful detainer actions for rent debts of under one-thousand dollars. We commonly saw tenants facing eviction because they owed just 30 or 40 dollars. In one particularly egregious case, a tenant was being evicted for just \$3. It is mind boggling that a tenant could potentially lose their home and see their family become homeless over less than the cost of a good blender or a new pair of shoes. Some eviction cases are filed based on debt amounts less than the cost of filing the lawsuit itself.⁵⁴

The Fair Market Rent (FMR) Eviction Threshold that Appellants are challenging limits the cases that can be brought against tenants by prohibiting a nonpayment case for less than one-month of the FMR for a tenant's unit. Absent this law, some of these tenants who default due to lack of access to legal assistance will be subject to the drastic remedy of eviction, and all its associated harms, for a sum of one or two thousand dollars—or, as noted above, far less.

Since October 2022, the City of Los Angeles has required landlords to submit termination notices to the Los Angeles Housing Department (LAHD) and

⁵⁴ *See generally* Superior Ct. of Cal., Statewide Civil Fee Schedule, at <https://courts.ca.gov/sites/default/files/courts/default/2024-12/statewide-civil-fee-schedule-eff-01012024.pdf>.

this data is publicly available.⁵⁵ Practically, of course, the LAHD data is an undercount of the termination notices served because not all landlords submit their notices to the City.

The FMR Eviction Threshold became effective on March 27, 2023. LAHD began collecting this notice information shortly before the FMR Eviction Threshold became effective, so it is a useful way to track compliance with the law as well as illustrate the need for the law.

Inner City Law Center reviewed nonpayment notice data from March 2023 through December 2025.⁵⁶ Naturally, not all landlords were aware of the law when it initially passed. In the first nine months after the FMR Eviction Threshold became effective (March 27, 2023 through December 31, 2023), 16 percent of the nonpayment notices served in the City of Los Angeles demanded less than one-month FMR for a unit; i.e., even when it was illegal to do so, landlords were still issuing notices demanding less than one-month of fair market rent 16% of the time.⁵⁷ This percentage was likely higher prior to 2023 because many landlords presumably *did* know about the passage of the new law and did *not* issue notices demanding less than one-month FMR. As expected, compliance with the FMR

⁵⁵ See L.A. Hous. Dep't., *Eviction Notices Filed*, <https://housing.lacity.gov/residents/renters/eviction-notices-filed> (accessed Jan. 23, 2026).

⁵⁶ *Id.*

⁵⁷ 12,826 out of 80,900 notices. See *id.*

Eviction Threshold increased over time. In the last three months of 2025, only 3.7 percent of nonpayment notices demanded less than the one-month FMR for a tenant's unit.⁵⁸

In 2023, the monthly fair market rent in Los Angeles was \$1,534 for a studio apartment, \$1,747 for a one-bedroom, and \$2,222 for a two-bedroom.⁵⁹ In the nine-month period *after* the FMR Eviction Threshold made these notices illegal, landlords served nearly 13,000 eviction notices for less than one-month of the FMR.⁶⁰ This means that for these households, and for many more in the past, all the cascading, persistent effects of evictions would be triggered by a one-time shortfall of, in many cases, less than two thousand dollars.

These numbers illustrate the State's interest in curbing evictions for low-dollar debts. Landlords may pursue other civil collection efforts for these debts; they simply may not pursue the drastic remedy of eviction. "The law abhors forfeitures,"⁶¹ and evictions come at a dire cost to society.

⁵⁸ This is still a total of 687 notices for amounts under the FMR for a tenant's unit.

⁵⁹ Dep't. of Hous. & Urban Dev., FY 2023 Fair Market Rent, https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2023_code/2023summary.odn (accessed Jan. 26, 2026).


⁶⁰ L.A. Hous. Dep't., *supra* n. 60.

⁶¹ *Reed v. South Shore Foods, Inc.* 229 Cal. App. 2d 705, 713, 40 Cal. Rptr. 575 (1964); *Hignell v. Gebala*, 90 Cal. App. 2d 61, 202 P. 2d 378 (1949).


CONCLUSION

For the reasons discussed above, Amici respectfully request that this Court affirm the District Court's dismissal of Appellants' complaint.


Respectfully submitted,

By: 


David Campbell Smith
Director of Litigation, Inner City Law Center

By: 

Hannah Comstock
Senior Attorney, Social
Justice Legal Foundation



Gary Blasi
Professor Emeritus, UCLA School of Law




Ananya Roy
Professor of Urban Planning, Social Welfare, and Geography
Director, UCLA Luskin Institute on Inequality and Democracy

Certificate of Compliance

Counsel for Amicus Inner City Law Center hereby certifies that the enclosed Amicus Brief is produced using 14-point Times New Roman font and contains 4,361 words, in compliance with Federal Rules of Appellate Procedure 29(a)(4) and 32(g). Counsel relies on the word count of the computer program used to prepare the brief.

Dated: January 27, 2026

By: 

David Campbell Smith
Director of Litigation, Inner City Law Center

By: 

Hannah Comstock
Senior Attorney, Social
Justice Legal Foundation