



Understanding Evictions in Omaha

Pierce Greenberg, PhD
[Social Science Data Lab](#)
Creighton University

Gary Fischer, JD
General Counsel
Family Housing and Advisory Services

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About the Authors

Pierce Greenberg is an assistant professor of sociology at Creighton University. His research focuses on spatial inequality—the study of *who gets what where, and why?* He is leading an effort to establish the [Social Science Data Lab at Creighton](#)—a community-focused initiative to connect Creighton students and faculty to local organizations with social science research needs. Contact Pierce at piercegreenberg@creighton.edu.

Gary Fischer recently retired from his role as general counsel for Family Housing Advisory Services, a North Omaha-based organization committed to helping people achieve housing stability and financial security. He is an attorney with more than 30 years of experience in housing policy and advocacy. Contact Gary at garylfischerpc@gmail.com.

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Understanding Evictions in Omaha

Race, Income, and Forced Residential Displacement

For people in Omaha who struggle to make ends meet, evictions can have devastating impacts on family life, education, and health. Being forced to move from a home leads to instability—for both individuals and the neighborhoods where evictions are concentrated. And evictions occur most frequently in the areas of our city that are already impacted by decades of disinvestment, disadvantage, and racial segregation, as this report illustrates.

The purpose of this report is to provide basic insights into evictions in Omaha, so that public officials and community organizations can better understand (1) how many evictions occur in Omaha, (2) where those evictions occur, (3) who is most impacted by evictions, and (4) how evictions are related to other forms of disadvantage in our city. In doing so, we hope to bring the evidence-based clarity that data provides to bear on the important issues facing our community.

Further, we hope to contribute to the broader conversations around race happening in the community. Two major events in 2020 have highlighted the continued relevance of race in our city: (1) the COVID-19 crisis, which has disproportionately burdened minority populations, and (2) the ongoing protests about police brutality and the manifestations of systemic racism in our community. This report illustrates the spatial overlapping of race, health, education, housing, and wealth disparities—issues that have a common root cause in the history of racial segregation and disinvestment in our city. While by no means a solution to systemic racism, local housing and eviction policies provide one key avenue to address racial disparities in Omaha.

Finally, this work ties into broader local and state-wide policy issues related to affordable housing and homelessness. A lack of affordable housing leads to higher rates of eviction in a city. Higher rates of eviction increase the number of people who are unhoused. Evictions can also set off a cycle of disadvantage that is difficult to break. Again, the recent COVID-19 pandemic amplifies these concerns, as thousands of people have lost their jobs and sources of income. We offer policy insights into alleviating these problems: (1) examining the role of subsidized and low-income housing in Omaha's eviction landscape, and (2) increasing legal representation for tenants to help moderate the number of evictions in Omaha's most disadvantaged neighborhoods.

Overall, we aim for this report to continue an honest discussion about the impacts of eviction and racial segregation and disparity in our city. The data presented here are limited and merely a starting point for deeper discussion.

Why Do Evictions Matter?

“Residential stability begets a kind of psychological stability, which allows people to invest in their home and social relationships. It begets school stability, which increases the chances that children will excel and graduate. And it begets community stability, which encourages neighbors to form strong bonds and take care of their block.”

- Matthew Desmond, author of *Evicted*

The benefits of residential stability for individuals, schools, and neighborhoods are immense. Conversely, the price of residential *instability* is steep. Neighborhoods with high residential turnover experience a loss of what sociologists call social or community capital—the relationships that enable people to support each other and facilitate their thriving. Decreased social capital is correlated with increased rates of crime and negative health outcomes and behaviors (Sampson 2012).

Consider the differences in everyday life between two neighborhoods. First, imagine a neighborhood with few to no evictions—a place that might have only one eviction per month. The neighbors know each other; children play in the streets; block parties take place every summer. The neighborhood kids grow up together. There are 68 census tracts¹ in Omaha that had fewer than one eviction per month over the last eight years.

Then, imagine a neighborhood where a person or family gets evicted, on average, every single week—as is the case in 18 Omaha census tracts. Over the last eight years, more than 400 people or families have moved in and out of the area. The neighbors may be less likely to know each other; the streets are less safe; organizing social events can be challenging. Aside from the clear socioeconomic differences that exist between these neighborhoods, the impact of housing instability frays at the social fabric of the community overall.

Cause, Not Only Consequence of Poverty

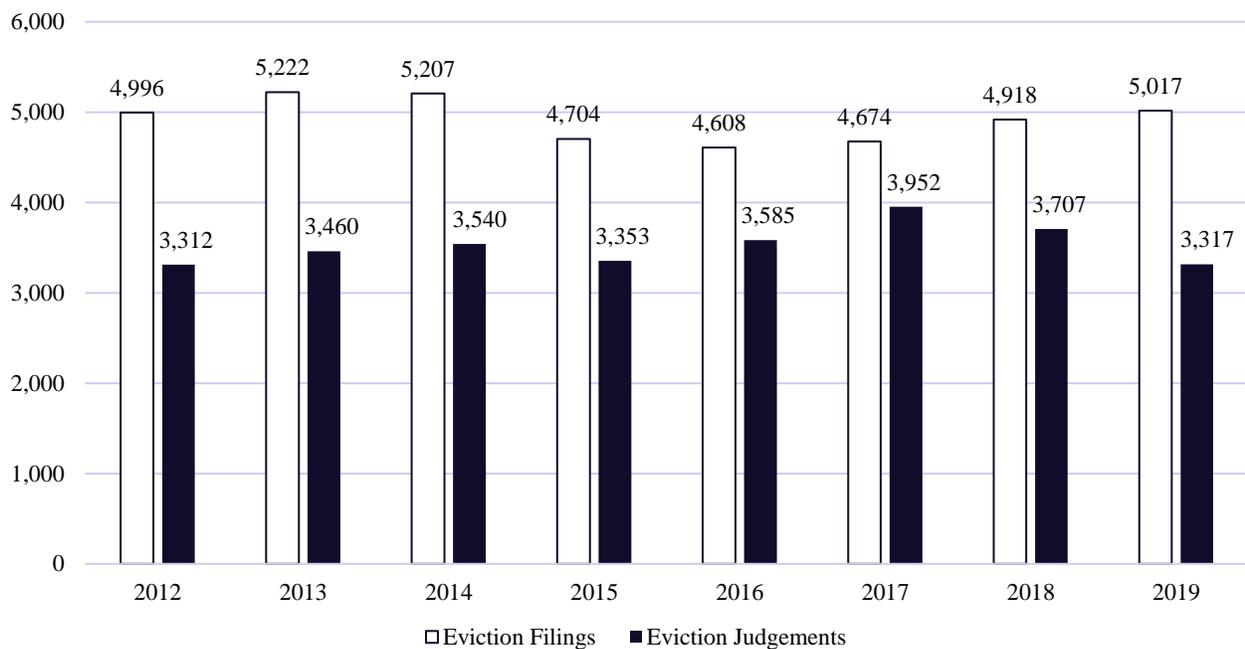
Many people believe eviction to be an individual problem—simply a side effect of the inability to pay rent. But social science research on the topic illustrates a more nuanced view of eviction that shows how eviction can also be a significant *cause* of poverty. For example, evictions can restrict people’s future housing opportunities, cause a loss of possessions, and damage residents’ credit. By identifying eviction as a cause of poverty and homelessness, this research offers a potential solution for the alleviation of racial inequality and housing instability in Omaha neighborhood (i.e., reduce the number of evictions).

¹ Census tracts are geographies commonly used to measure “neighborhoods” by researchers. These are drawn by the U.S. Census Bureau to include an average of 3,000 people in each tract.

Counting Evictions in Omaha and Douglas County

There are currently no publicly available databases that measure the frequency of evictions in Omaha. To count evictions in Omaha, we obtained data from the Nebraska State Court system. The data included all eviction cases filed in Douglas County from Jan. 1, 2012, to Dec. 31, 2019. Overall, we found that 39,346 eviction cases were filed in Douglas County from 2012 to 2019—an average of roughly 4,918 eviction filings per year. Of those cases, 28,226 resulted in an eviction—an average of 3,528 evictions per year.

Figure 1. Eviction filings and judgements in Douglas County, 2012-2019



The number of evictions in a city is influenced by the number of rental housing units in a city. That means it is also important to look at an eviction *rate*—which is calculated as the number of evictions per 100 rental housing units. Table 1 compares the rate of evictions (i.e., filings that result in a judgment of eviction) in proximate cities.² This data shows the eviction rate in Omaha is less than Kansas City’s, but greater than that of Lincoln and Des Moines.

Table 1. Comparing eviction rates between Omaha and peer cities

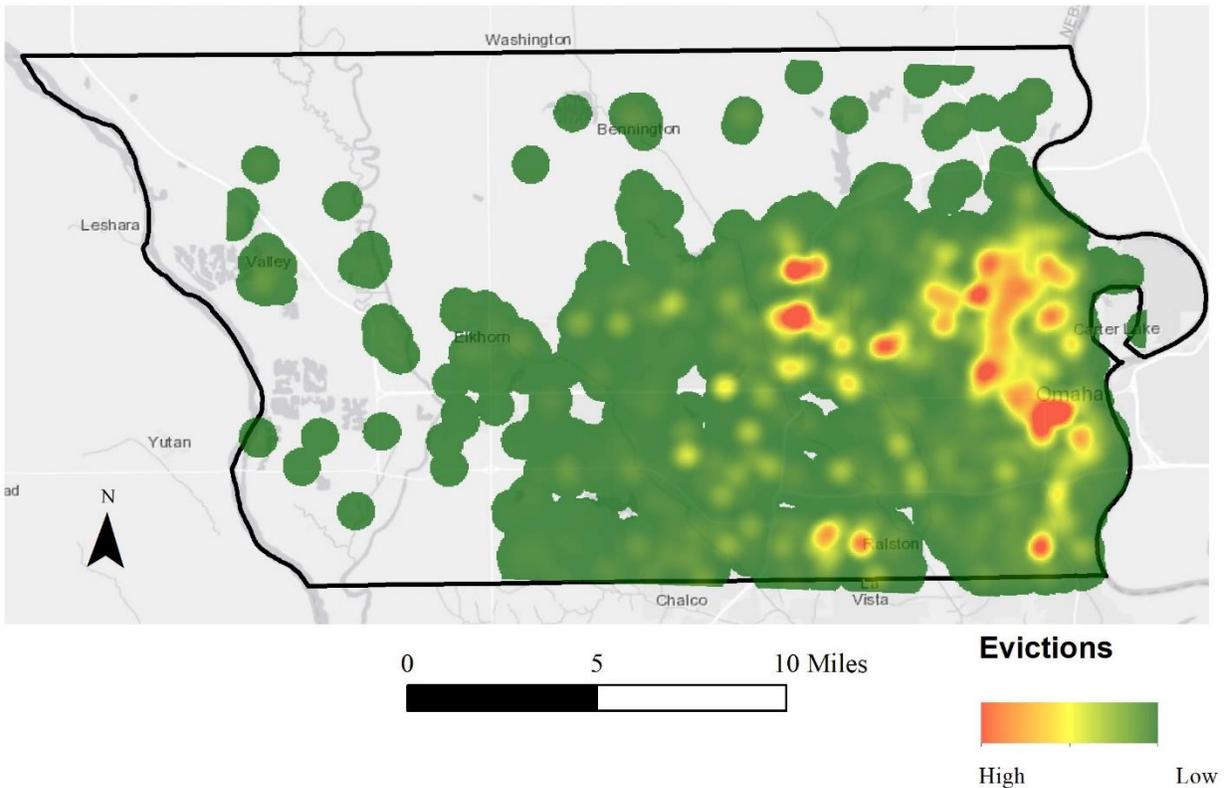
County	Average Eviction Rate, 2012-2016
Douglas County (Omaha)	3.66
Jackson County (Kansas City)	5.17
Polk County (Des Moines)	2.48
Lancaster County (Lincoln)	2.56

² The Eviction Lab at Princeton University is the only national database of evictions available, which enables analysis of eviction rates across cities. It can be accessed at www.evictionlab.org.

Where Do Evictions Occur in Omaha?

County-wide eviction numbers and rates may be useful for understanding the scope of evictions at the county- or city-level. However, we know evictions are not randomly distributed across the city. Instead, evictions are geographically clustered in specific areas of the county. Figure 2 shows a kernel density or “heat” map that identifies areas with high and low evictions on a color-based scale.

Figure 2. Kernel density map of evictions in Douglas County, 2012-2019



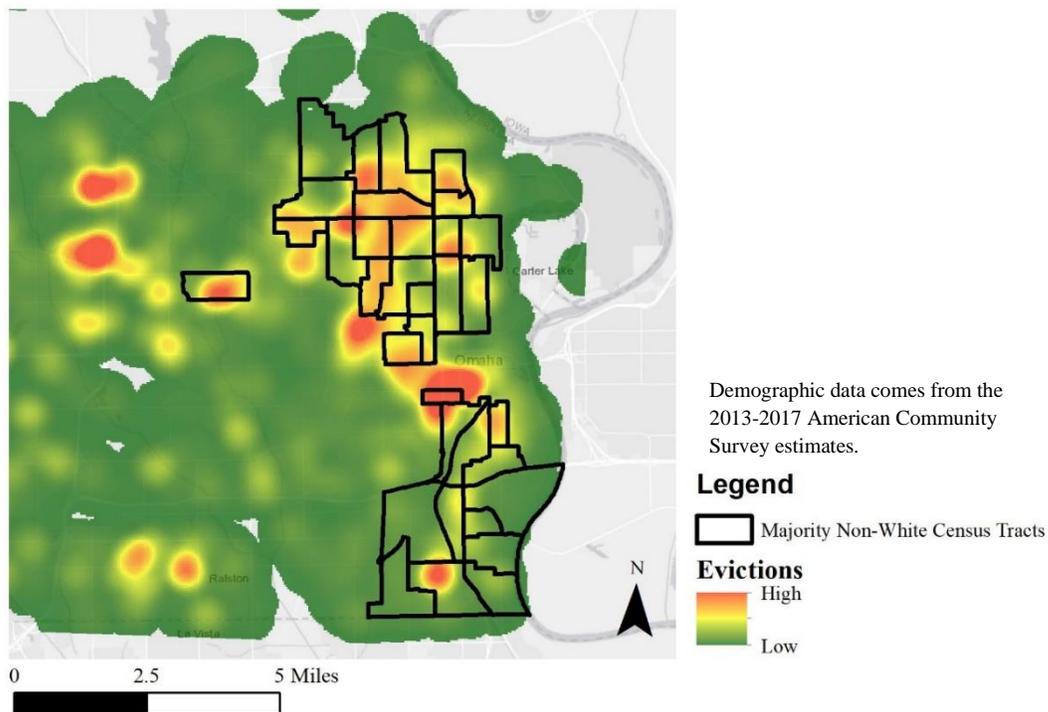
This map could assist policy makers and advocates looking to develop and geographically target supportive policies and housing services. Many of these “hot spots” represent large apartment complexes or public housing facilities. For example, the hot spots towards the northwest of the city represent apartment homes and townhome complexes along I-680 from Maple Street to Blair High Road. Meanwhile, in the southeast section of the city, the largest hot spot is the Omaha Housing Authority’s Southside Terrace apartment complex around South 30th Street and R Street.

The largest concentration of evictions centers around two areas: (1) sections of North Omaha, and (2) public housing complexes on the southwestern edge of downtown Omaha. As to the first, eviction hot spots extend from the intersection of Saddle Creek Road and Cuming Street, along Fontenelle Boulevard heading north. Another hot spot includes OHA public housing facilities Jackson Tower and Park Towers near Hanscom Park.

What Kind of Neighborhood Contexts Are Most Impacted by Evictions?

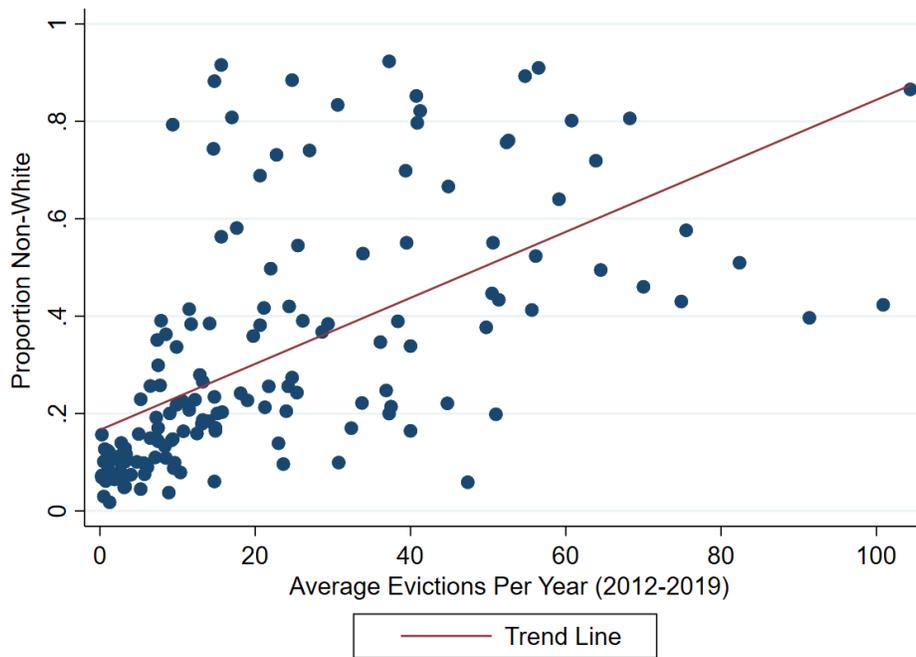
People who are familiar with the history of Omaha can see immediately from the map on page 6 that evictions reflect racial segregation in the city. According to data from the Urban Institute, Omaha ranks 271st out of 274 U.S. cities on a measure of racial inclusion. That ranking considers “the ability of residents of color to contribute to and benefit from economic prosperity” by measuring racial segregation, wealth, and homeownership based on race, as well as other economic measures (Urban Institute 2013). The major geographical areas of racial segregation are located in North and South Omaha. North Omaha is historically African American, due to a deep legacy of institutional racism that concentrated the black population in Omaha and channeled neighborhood investment elsewhere (Strand 2017). Further, South Omaha is predominantly Hispanic—having been the primary settlement area for immigrants from Mexico and other Central and South American countries in the latter half of the 20th century. Omaha’s growing refugee population—including people born in South Sudan and Myanmar—have also settled in these neighborhoods.

Figure 3. Eviction map overlaid with majority non-white census tracts in Omaha



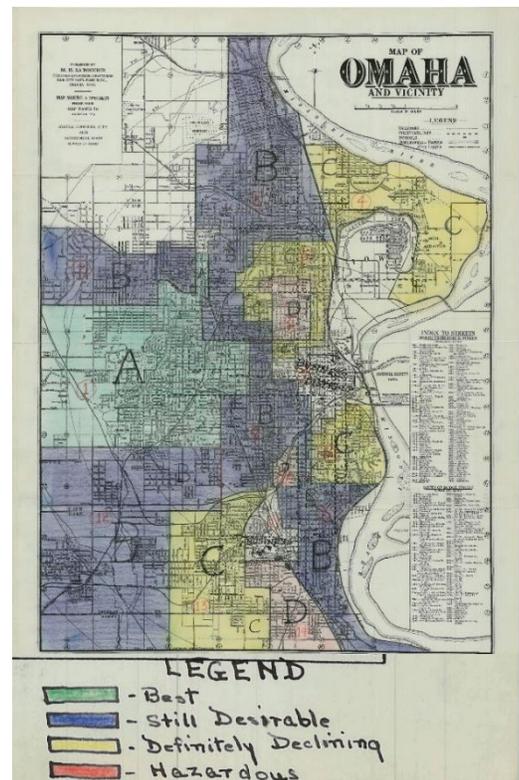
Racial segregation and decades of disinvestment in certain neighborhoods have led to modern socioeconomic disadvantage that is geographically concentrated. The 34 majority non-white census tracts in Omaha have an average median household income of \$32,566, compared to \$71,083 for majority-white census tracts, according to the latest American Community Survey estimates. Likewise, majority non-white census tracts have an average of 41 evictions per year, compared to 17 evictions per year in majority-white tracts. This relationship is illustrated in Figure 4, which shows how the average number of evictions per year from 2012-2019 increases based on the percent of non-white persons in a census tract.

Figure 4. Scatter plot of census tract-level proportion non-white population and evictions per year



Each dot in Figure 4 represents a neighborhood, plotted based on race and evictions. The trend line shows a positive relationship: as the non-white population increases, evictions increase.

The interconnected nature of race, income, and evictions helps illustrate how important housing and residential stability is to reducing racial and economic disparities in Omaha. But it is also important to be clear about the source of this inequality: historic housing policies and practices that have locked racial minorities into sections of the city where investment was discouraged. For example, in 1935, bankers and real estate professionals in Omaha provided the information used to draw a map for the federal Home Owners’ Loan Corporation. The map identified “desirable” areas for investment in green and “hazardous” areas in red. These maps were drawn almost entirely based on race—with the heart of African American North Omaha comprising one of the only “hazardous” areas on the map. This “redlining” led to devastating underdevelopment in North Omaha—which was compounded by racially restrictive covenants that prevented Black families from buying homes in other parts of town. The construction of Highway 75 through North Omaha in the 1970s and 1980s displaced hundreds of families and further isolated the community. Other city policies and historical trends have reinforced patterns of disinvestment in North Omaha.



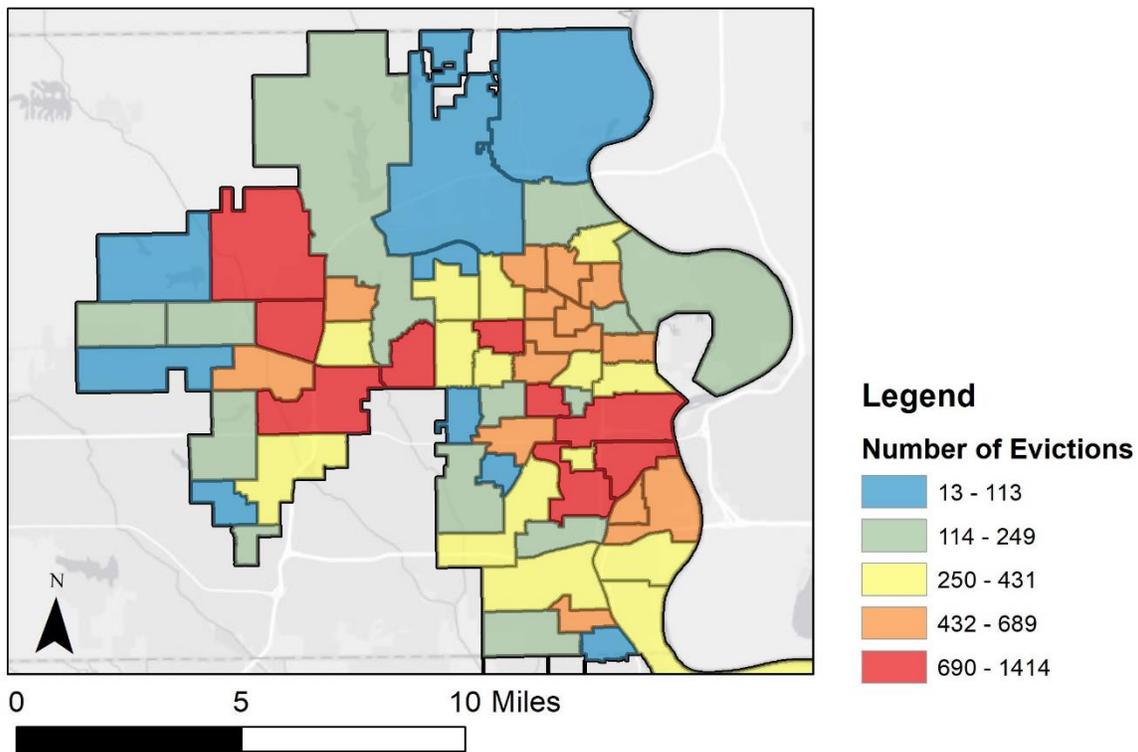
HOLC map and legend obtained from Palma Strand, available online at [Mapping Inequality](https://www.mappinginequality.com/).

The Connection Between Education and Evictions

In the previous section, we explained how evictions contribute generally to residential instability. The effects of evictions are particularly felt on education and schools. Schools with attendance areas that have high levels of residential instability can face several administrative and educational challenges. The unpredictability in enrollment numbers from year-to-year gives rise to staffing issues. Further, constant turnover of students can lead to a decreased sense of togetherness or community among classes. And, again, since evictions are unequally distributed across the city based on race and income, there are major inequities within Omaha Public Schools (OPS).

Figure 5 shows the number of evictions from 2012-2019 within OPS elementary school attendance areas. The results show that some schools—such as Picotte Elementary School—are in areas with fewer than 100 evictions from 2012-2019. Meanwhile, the attendance area for Liberty Elementary in downtown Omaha has experienced more than 1,200 evictions during that time.

Figure 5. Evictions in OPS elementary school attendance areas, 2012-2019



Further, the number of evictions in an elementary school attendance area correlates with student learning outcomes. Data from the Nebraska Student-Centered Assessment System (NSCAS) for the 2017-2018 and 2018-2019 school years shows the 10 schools with the fewest evictions averaged 49 percent of students scoring below standards on math, science, and English assessments (Table 2)—

compared to 67 percent of students scoring below standards in the 10 schools with the most evictions (Table 3).

Table 2. Elementary school attendance areas with the most evictions, 2012-2019

Elementary School Attendance Area	Evictions	Average Below Percent on NSCAS
1) Liberty Elementary School (K-6)	1,414	81.84
2) Sunny Slope Elementary School (K-6)	1,084	51.02
3) Prairie Wind Elementary School (K-5)	914	60.19
4) Field Club Elementary School (K-5)	887	74.07
5) Kellom Elementary School (K-6)	852	67.31
6) Edison Elementary School (K-6)	834	51.70
7) Fontenelle Elementary School (K-6)	812	81.02
8) Adams Elementary School (K-6)	792	61.62
9) Walnut Hill Elementary School (K-6)	758	69.02
10) Skinner Magnet Elementary School (K-6)	689	73.84
Average	903.6	67.16

Understanding the scope of evictions in elementary school attendance areas may help target resources and policy efforts at the school level. Awareness of the connection between evictions and student achievement also illustrates that reducing the number of evictions could help even the educational playing field in Omaha. We plan additional research that explores the correlation between evictions and educational outcomes at the elementary school level.

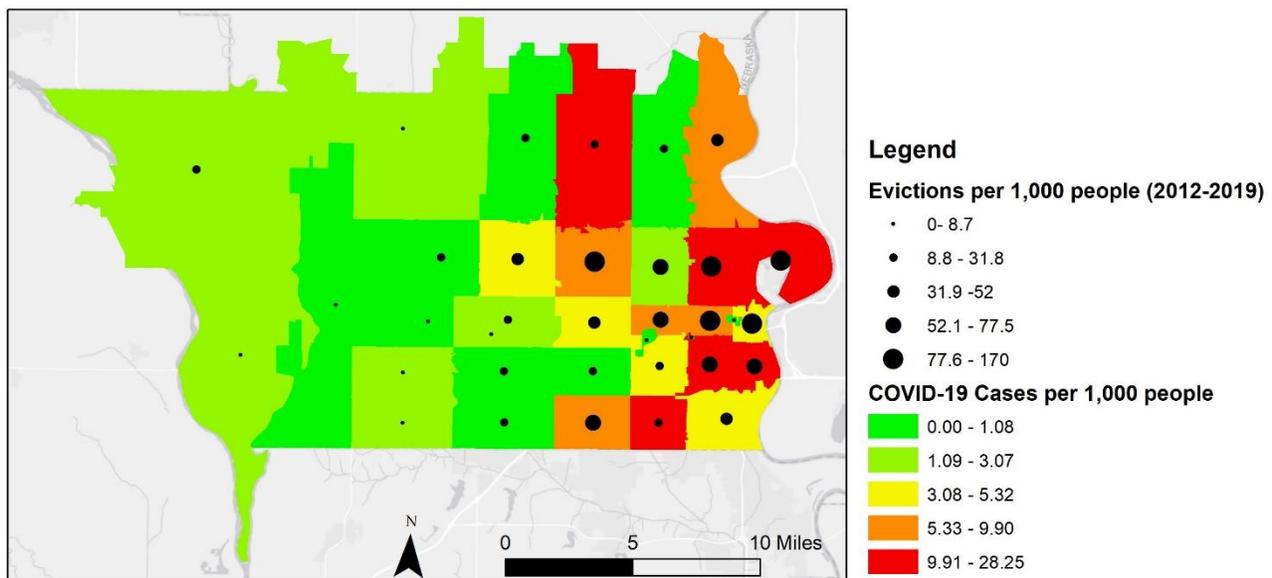
Table 3. Elementary School Attendance Areas with the fewest evictions, 2012-2019

Elementary School Attendance Area	Evictions	Average Below Percent on NSCAS
1) Ponca Elementary School (K-6)	13	43.36
2) Saddlebrook Elementary School (K-5)	32	32.52
3) Washington Elementary School (K-6)	61	49.88
4) Catlin Magnet Elementary School (K-6)	73	54.37
5) Pinewood Elementary School (K-6)	73	57.03
6) Springville Elementary School (K-6)	83	45.45
7) Highland Elementary School (K-6)	94	68.51
8) Picotte Elementary School (K-6)	104	37.82
9) Western Hills Magnet Elementary School (K-6)	113	63.31
10) Fullerton Magnet Elementary School (K-4)	139	41.73
Average	78.5	49.39

Evictions and Neighborhood Health: A Focus on COVID-19

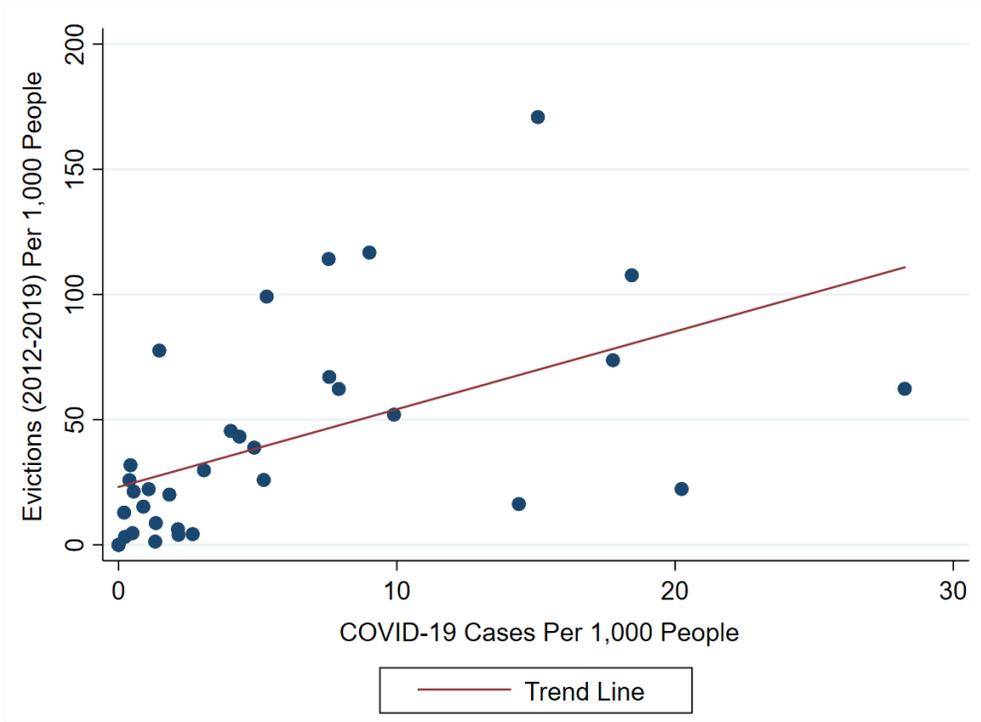
Evictions can also negatively impact community health outcomes. The ongoing COVID-19 pandemic has exposed the racial and socioeconomic geography of health outcomes in Omaha. As of June 17, 2020, more than 80 percent of those who tested positive for COVID-19 in Douglas County were non-white—when 69 percent of the county is white. Public health officials have noted that this racial disparity is likely due to the spread of the virus in meatpacking plants in south Omaha and other workplaces that are deemed “essential” and involve close interaction with others.

Figure 5. Evictions and COVID-19 cases in Douglas County zip codes, 2012-2019



Figures 5 and 6 show how the geographic concentration of COVID-19 correlates with evictions in Douglas County’s 35 zip codes. Figure 5 overlays the map of COVID-19 cases, represented by color, onto the map showing the number of evictions per 1,000 people from 2012-2019, represented by dots of varying sizes. Figure 6 shows this relationship in graph format, illustrating that areas where eviction has been concentrated from 2012-2019 are correlated with areas showing increased COVID-19 cases. This correlation is particularly important considering the state’s lifting a moratorium on evictions that lasted from March 15 to June 1. Evictions cause residential displacement, which leads to people moving in with relatives, seeking housing in a group shelter, or becoming homeless. All of these consequences run counter to public health directions to remain socially distant during a pandemic. This contradiction is even more glaring when evictions occur more often in areas experiencing the most virus spread. While evictions from all federally-funded housing projects have been halted by the federal CARES Act, this protection is scheduled to end on July 31, 2020.

Figure 6. Relationship between COVID-19 cases and evictions in Douglas County zip codes



Policy Implications

This analysis has sought to inform community advocates and policymakers about the racial geography of evictions in Omaha. We hope that the data here—which will also be available in an online format—will contribute to ongoing discussions about homelessness prevention, affordable housing, and other local housing issues. The data presented here supports the notion that eviction can be a *cause* of negative neighborhood outcomes and, therefore, reducing the number of evictions will likely contribute to diminishing Omaha’s existing racial and economic disparities. Below, we identify two key policy implications from this research.

(1) Prioritize Reducing Evictions of Persons from Subsidized Housing

One way to reduce the number of evictions would be to address eviction hotspots and work towards reducing evictions in those neighborhoods. The maps above show that many of these hotspots are public housing complexes. Further, the Omaha Housing Authority accounts for roughly seven percent (2,722) of all eviction filings in Douglas County from 2012-2019. Of those 2,722 filings, the court granted 1,897 evictions—making OHA the largest evictor in Douglas County. While private landlords make up the large majority of evictions, OHA has a public charge to help people who are economically disadvantaged achieve stability in their housing and finances. Further, OHA facilities are located primarily in HUD-defined Racially and/or Ethnically Concentrated Areas of Poverty (R/ECAP), suggesting that OHA is disproportionately responsible for housing racial minorities. People who are evicted from publicly subsidized housing may also be at increased risk of becoming homeless.

The OHA is well-positioned to make a significant reduction of evictions in Omaha. The cost of filing so many evictions—and contributing further to residential instability—could be mitigated by examining why evictions are so high in publicly assisted housing and how challenges and barriers to residential stability could be removed.

(2) Ensure Legal Representation for Persons Facing Eviction

In conjunction with the overall data on eviction filings in the state court system, we also acquired data on defendants’ legal representation in the 39,346 filings from 2012 to 2019. These data show that only 394 defendants—or 1 percent—had documented legal representation from attorneys. Therefore, few people who are evicted have legal defense or counsel.⁴

⁴ We believe court data used in this study understates the number of persons provided some legal assistance based on anecdotal evidence from providers of legal services to tenants, such as Legal Aid of Nebraska and the Abrahams Legal Clinic at Creighton School of Law. Nearly 30 percent of eviction filings do not result in an eviction, which we believe may be due in part to the assistance of a legal advocate to resolve their case informally. Nonetheless, it is clear that tenants are woefully underrepresented.

One solution to this problem would be to provide tenants with legal representation in eviction proceedings. An extensive cost-benefit analysis by the firm Stout Risius and Ross (2016) found that a public right-to-counsel program in New York City would provide a net economic benefit for the city in saved costs related to homeless shelters and services. New York became the first in the United States to pass a right-to-counsel law in 2017 and has since seen a profound reduction in evictions—84 percent of defendants who were provided legal counsel for eviction hearings could remain in their homes (NYC Office of Civil Justice 2018).

We strongly recommend that Nebraska policymakers explore a similar measure to help ensure legal representation for people facing eviction. Oftentimes, tenants may have legal claims against a landlord related to habitability or code violations—but few accessible avenues to pursue those claims.

Future Research

We plan to continue this research with community partners, public officials, policymakers, academics, advocates, and others who have an interest in evictions in Nebraska. This report will be available online with additional interactive maps and resources. We also welcome the opportunity to share data and resources with others who are interested in doing more in-depth analyses of these issues. For example:

- (1) More complex statistical analyses: The analyses, maps, and visualizations above are merely descriptive, focusing on the correlation between evictions and racial, health, and education outcomes at different geographic levels. A more in-depth assessment, involving multiple variables, is necessary to understand how eviction matters *net of* other factors. The extreme overlapping of eviction, socioeconomic status, and race in Omaha makes these relationships difficult to tease out. Other sources of data—such as individual-level health or education data—would assist with this effort.
- (2) Policy Impact Assessment: In 2019, the Nebraska state legislature passed a law that extended the time tenants had to pay rent after a notice of nonpayment from three days to seven days. The change shifted Nebraska from one of the most restrictive nonpayment laws in the country to allowing more time compared to neighboring states Iowa, Kansas, and South Dakota. We plan to conduct analyses to examine how this change impacted evictions in Nebraska.
- (3) Substandard Housing Conditions and Eviction: Many evictions are categorized as nonpayment of rent but may reflect underlying conflicts between tenants and landlords over substandard housing quality. For example, Desmond (2016) finds that some tenants withhold paying rent until repairs are made—and, consequently, are evicted for nonpayment of rent. We hypothesize that eviction filings are likely to be higher in areas of the city containing the oldest housing stock and the most complaints about failure to comply with minimum housing standards. Further research is needed to explore how these factors influence evictions. Also, more focus is needed on how the development of affordable quality housing and effective housing code enforcement may impact eviction rates.

Acknowledgements

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