

Evictions happen much too easily in Louisiana

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By The Times-Picayune Editorial Board

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The citywide eviction rate in New Orleans is nearly twice the national average and almost four times higher in some low-income, predominantly black neighborhoods, according to a new report that analyzed court and neighborhood data.

In the first six months of 2018, roughly 31 households were evicted each day courts in New Orleans dealt with eviction cases.

The problem is caused by a combination of high rents, falling wages, a loss of public housing and a lack of legal protections for renters, and it affects black residents far more than white residents. That is in part because the city has never recovered from racist policies begun in the late 1930s that marked entire neighborhoods as too high-risk for home loans.

Basically, everything is stacked against residents in New Orleans' poorest neighborhoods.

With so few affordable housing options, the city's eviction epidemic isn't surprising.

When adjusted for inflation, the average rent in New Orleans has gone up 49 percent since 2000, according to the report written by Davida Finger, a Loyola University law professor, and the Jane Place Neighborhood Sustainability Initiative. Gentrification has pushed longtime residents out of some neighborhoods.

Income has fallen as rents went up, and even tenants in neighborhoods with some of the city's lowest costs can't afford the rent.

The median market rate rent in New Orleans is almost \$1,000 a month, according to the National Low Income Housing Coalition. In 2016, the median income for renter households in New Orleans was \$24,000 per year. A household at that income level should not spend more than \$600 per month in rent and utilities, so many families' resources are far below the \$996 median cost for a two-bedroom market rate apartment.

And there is essentially no legal protection for renters in Louisiana. Landlords can file for eviction one day after rent is due and even if a renter is only short by a few dollars. You also aren't allowed in Louisiana to withhold rent to try to force a landlord to repair a dilapidated rental.

Once you've been evicted, you get listed as a bad risk and may have trouble finding another home or be forced to live in a less stable neighborhood. And the statistics quoted in the report only include evictions that went through the court system, so there are even more informal evictions going on in the city.

It is no wonder so many families here are in turmoil. That must start to change in this spring's legislative session.

The eviction report recommends four changes in state law that would help protect renters.

--A 10-day grace period for renters who have unexpected expenses. This provision would give renters up to 10 days to pay before courts get involved. Alabama and Mississippi have similar laws.

--Replace 10-day no-cause evictions with a 30-day notice on month-to-month leases. Currently, landlords can force those tenants to move out in 10 days for no reason. The national standard is 30 days. And the report points out that the extra time is especially important in New Orleans because of the difficulty of finding another place that's affordable.

--Prohibit language in leases that waives the five-day notice for an eviction. Allowing the notice to be waived essentially creates immediate evictions.

--Allow judges to delay evictions for up to seven days in cases of severe disability, serious illness, dangerous weather conditions or other "exceptional circumstances."

Those are all reasonable changes, and legislators ought to be open to them.

Breonne DeDecker, program manager of housing and advocacy for Jane Place, said the changes will be included in a bill being introduced in the Louisiana Senate this spring.

At the city level, the report advocates for a Smart Housing Mix Policy requiring market rate and luxury developments to include "units affordable for the average New Orleanian." The City Council approved that sort of policy Thursday.

Jane Place and other housing advocates want the city to use other measures to increase affordable housing and to create a rental registry to track the condition of homes.

But those policies will take time to have an effect. Strengthening protection for renters could make a significant difference in the meantime.

Reducing evictions "isn't about taking money out of anyone's pockets," but about giving everyone a chance to have a stable home, Davida Finger said. The changes suggested in the report would bring Louisiana in line with national standards, she said.

Legislators should at least give Louisiana families those basic protections.