

Tenant Demographics and Eviction Filings in Durham County

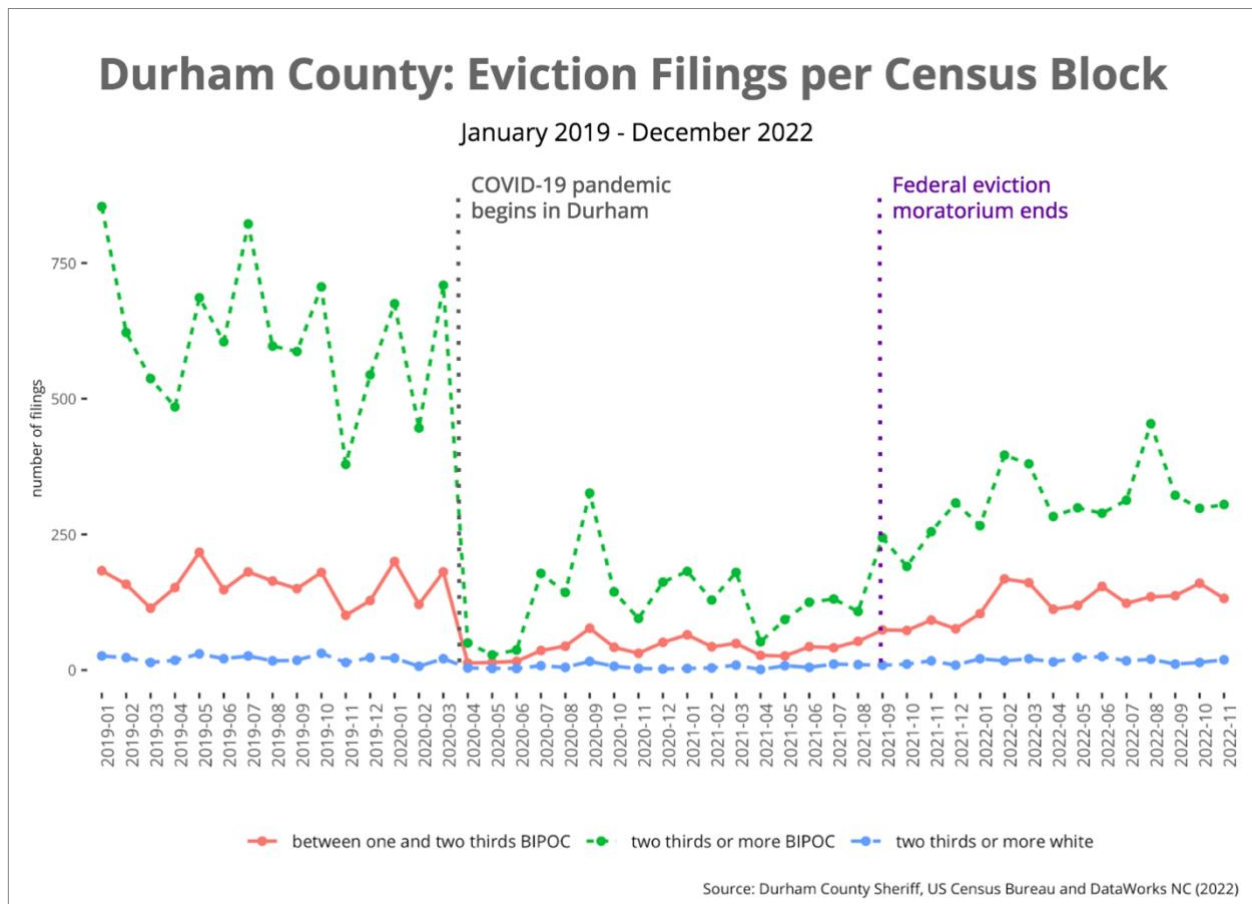


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INTRODUCTION

This report documents an exploratory analysis of 5 years of civil process records for eviction filings in Durham County. DataWorks took on the opportunity to examine these records to better understand, within the context of Durham, our ongoing recognition that evictions appear to impact communities of Black, Indigenous and People of Color (BIPOC) much more than predominantly white communities.

Throughout the pandemic - but with deeper focus in 2022 - we reported monthly on the geography of eviction filings in our newsletters and presentations. We would show the volume of evictions filed based on the demographics of the neighborhood (approximated by Census blocks). An illustration of what we already understood from this work is reflected in the chart below showing how the experience of evictions in Durham is segregated.



The disparate impact of eviction processes on Black residents has been reported in other US communities, notably in Milwaukee with Matt Desmond's Milwaukee Area Rental Survey which formed the basis of much of [Desmond's writing](#) on evictions during the 2010s. [1]

Jane's Place in New Orleans [documented](#) that 82.2% of evictions filed were against Black tenants, and 56.8% were against Black women in particular. [2] And right here in Durham, the apparent bias of the eviction process has been noted and reported on by tenants facing eviction, the [Human Relations Commission](#), and residents involved in court watching and other tenant support. [3]

WHY THIS IS IMPORTANT

After being evicted, tenants face worsening opportunities for healthful, safe and stable housing.[4] Residents can become barred from leasing in many rental properties for having an eviction filing record. In fact, in 2018 the University of North Carolina Greensboro's Center for Housing and Community Studies [reported](#) that 65% of evicted tenants experienced some duration of homelessness. [5] This - plus the apparent racial bias in the outcomes - suggests a clear reason for the observation we have heard from service providers in Wake County that most of the people included in Homelessness Management Information Systems (HMIS) are Black women with children. The problems facing individuals and families who are unhoused are upstream, stemming from a community's persistent inability to provide safe, affordable housing for its residents.

Living without a house exposes people to violence, repeated forced displacement by police and private security, hunger and malnourishment, untreated medical needs, and emotional and psychological harm. The struggle to pay for housing has repeatedly surfaced as a priority topic for residents in the Durham County Department of Public Health's Community Health Assessment survey. [6]

The influence of wellness, medical needs, and housing stability in Durham has been [documented by Karla Jimenez-Magdaleno](#) in the Durham Disrupted project. [7] And in 2017 Hugo Vasquez-Vera documented poorer mental and physical health outcomes¹ "among people affected by payment arrears, foreclosure or eviction, either directly or from living in high foreclosure areas, compared to those who were not affected." [8]

Evictions are a public health crisis, and they are commonly known to harm protected class groups more frequently.

Our continued efforts to illuminate the racial and ethnic bias within eviction processes are motivated by our understanding that the eviction process is a foundational disruption to human rights. And it is one of the primary processes through which race and class

¹ Vasquez-Vera describes these as "both mental (e.g. depression, anxiety, psychological distress, and suicides) and physical (poor self-reported health, high blood pressure and child maltreatment."

inequities are perpetuated in our home community of Durham, NC and across the United States.

This report documents that:

- There is a clear disproportion of impact to BIPOC tenants and particularly Black women in the summary ejection process in Durham.
- While Black tenants are 43.5% of Durham's renting population, they are 75.8% of the tenants facing eviction in our dataset.
- From 2016 to 2020, Black tenants experienced 4.78 times the eviction rate of white tenants, and Indigenous tenants experienced 1.68 times the rate of white tenants.
- 77% (20,373) of the evicted tenants in our dataset lived in majority BIPOC Census blocks, while only 5.3% (1,408) lived in majority white blocks. Among the 1,408 tenants who were evicted in majority white Census blocks, 75% were BIPOC tenants.
- While we do not have reliable data to reference the impact of summary ejections on Hispanic/LatinX tenants in Durham, we have enough anecdotal evidence from advocates and attorneys in Durham to understand they are significantly underrepresented in our dataset. This is due to low voter registration rates for Durham's Hispanic/LatinX population.

This work was made possible by the guidance of tenant advocates whose work we have followed closely; by a grant from the Robert Wood Johnson Foundation; by financial and technical support from Legal Aid of North Carolina; and by additional technical support from staff at the Urban Institute.

DATA AND METHODS

Eviction Cases

Throughout this report we are referencing summary ejectments, which is the court process a landlord uses to file an eviction against a tenant. This may be the result of a failure to pay rent or any other reason. Once the summary ejectment is filed at the courthouse the notice is served to the tenant by the Sheriff's Department. The eviction case is heard in small claims court within 30 days of filing (usually within 10 to 15). Cases may be settled out of court prior to the hearing or they may go to court and be settled in favor of or against the tenant. Whichever party the case is settled against has 10 days following the hearing in which to appeal the case. If the case was settled against the tenant and they have not left the premises by that time, a writ of possession can be filed by the landlord to displace the tenant and their possessions by force. It is possible that an eviction, from start to a forced displacement, can happen in as little as 2 weeks.

Eviction (summary ejectment) records were acquired from the Administrative Office of Courts (AOC) for North Carolina. These Civil Case Processing System (VCAP) records from the years 2016 - 2020 were shared in raw, unformatted text files. DataWorks acquired a starter data processing script for extracting tables for summary ejectment in a different North Carolina county from a Legal Aid volunteer. We adapted that script to extract Durham County records from all VCAP tables and merge them into one comprehensive table for Durham.

Voter Registration and Demographics

Voter registration records for Durham County were acquired from the North Carolina Board of Elections. We used voter registration files from 2016, 2018 and 2020 to reflect - as best we could with the data we had in house - the registered population during the years evictions were filed.

Fuzzy matching eviction records to voter registration records was done using the string distance join functions of the R *fuzzyjoin* package. We used the tenant/voter name, zip code, and voter registration year fields to match voter characteristics to these tenants. A round of manual review followed to identify and rectify, if possible, any potential mismatches. This process of manual review only excluded wrongly matched cases and did not introduce new matches. Doing so yielded a final and complete data set of 26,641 matched records from the 44,744 evictions filed from 2016 - 2020.

Our final dataset likely underestimates the number of evictions among Hispanic/LatinX individuals, as the ethnicity data for eviction cases comes from voter records, and Hispanic/LatinX individuals are less likely to be registered to vote in the US than non-Hispanic individuals. (See Supplemental References: Under-representation of Hispanic/Latinx Population in Voter Registration Data.)

Community-Level Demographics

Population characteristics, including the total number and renter/owner status of Durham residents by race, ethnicity, and sex were obtained from the American Community Survey (ACS) conducted by the US Census Bureau [9]. We report the distributions of evictions within the following racial/ethnic groups: Asian, Black/African American, Hispanic, Indigenous, White (Non-Hispanic), more than one race, other race; and by the following sex groups: male and female. These groupings are reductive and may not reflect the ways in which individuals self-identify, but the data are limited by the ways in which these social constructs were collected.

Calculating Eviction Rates

There are two evictions rates you will see in this report. First is the **Average Annual Eviction Rate per 100 Renters**, incorporating cases from all years (2016 – 2020). For this we calculated rates of eviction by racial/ethnic group using the number of evictions as the numerator and the number of renters per year as the denominator. These rates could not be calculated by sex, as the ACS does not publish numbers of renters by sex or gender. We calculated rate ratios and 95% confidence intervals, comparing eviction rates among each non-white racial/ethnic group to the eviction rate among white, Non-Hispanic renters, using Poisson regressions.

The second rate you will see in the Year-by-Year section illustrates the **rate of eviction filings per 1000 tenants each year**, by racial/ethnic group using the number of evictions as the numerator and the number of renters per year as the denominator.

RESULTS FOCUSED ON TENANTS

Table 1. Demographic characteristics of individuals facing eviction in Durham County between 2016 and 2020

Race/Ethnicity	Number of Evictions	Percent of All Evictions
Asian	69	0.26
Black or African American	20,192	75.79
Hispanic or LatinX	1,012	3.80
Indigenous or Native American	50	0.19
More than one Race	401	1.51
Other Race	282	1.06
White or Caucasian	3,287	12.34
Unknown Race/Ethnicity	1,348	5.06

From a total 44,744 summary ejections in Durham County from 2016 through 2020, there were 26,641 (59%) which could be matched to voter demographics data.

Black residents were highly overrepresented in the eviction distributions, relative to the county population, with 35.9% of Durham residents identifying as Black or African American in 2020. An overwhelming majority - 75.8% of all evictions - were experienced by Black tenants. Asian, White, and Hispanic residents were underrepresented among evicted tenants, relative to the general population, with 5.6%, 43.4%, and 13.8% of Durham County's population identifying with each racial/ethnic group, respectively.

Durham County's renting population was 43.5% Black or African American during 2016-2020. 75.8% of all evictions were experienced by Black tenants. The Durham County population is 52.2% female, but 61.0% of evictions happened to female tenants. 50% of all evictions were among Black female tenants.

Table 2. Eviction Rates per Renter Population by Race/Ethnicity in Durham County, 2016-2020

Race/Ethnicity	Number of Evictions	Combined Renter Populations - All Years	Average Annual Eviction Rate per 100 Renters	Ratio	95% Confidence Interval
Total	26,641	284,434	9.4	-	-
Asian	69	15,540	0.44	0.13	(0.11-0.17)
Black or African American	20,192	128,130	15.76	4.78	(4.60-4.96)
Hispanic or LatinX	1,012	35,431	2.86	0.86	(0.81-0.93)
Indigenous or Native American	50	904	5.53	1.68	(1.25-2.19)
More than one Race	401	7,180	5.58	1.69	(1.52-1.87)
Other Race	282	8,688	3.25	0.98	(0.87-1.11)
White or Caucasian	3,287	99,613	3.30	1.00	ref
Unknown Race/Ethnicity	1,348	-	-	-	-

Data sources: NC Administrative Office of the Courts (2016 – 2020); American Community Survey 5-Year Estimates (2016 - 2020) Table B25003.

The renter population has a different racial/ethnic composition than the general population of Durham County. Renters are more likely to be People of Color (56.9%) than white (43.1%). Rates of eviction shown in Table 2 reflect the average number of evictions per 100 renters in each population group across all 5 years.

Durham County's overall eviction rate from 2016-2020 was 9.4 per 100 renters. For Black renters, the rate was 15.76 evictions per 100 renters. It was 5.53 per 100 renters for

Indigenous tenants, and 5.58 per 100 renters for tenants identifying with more than one race group.

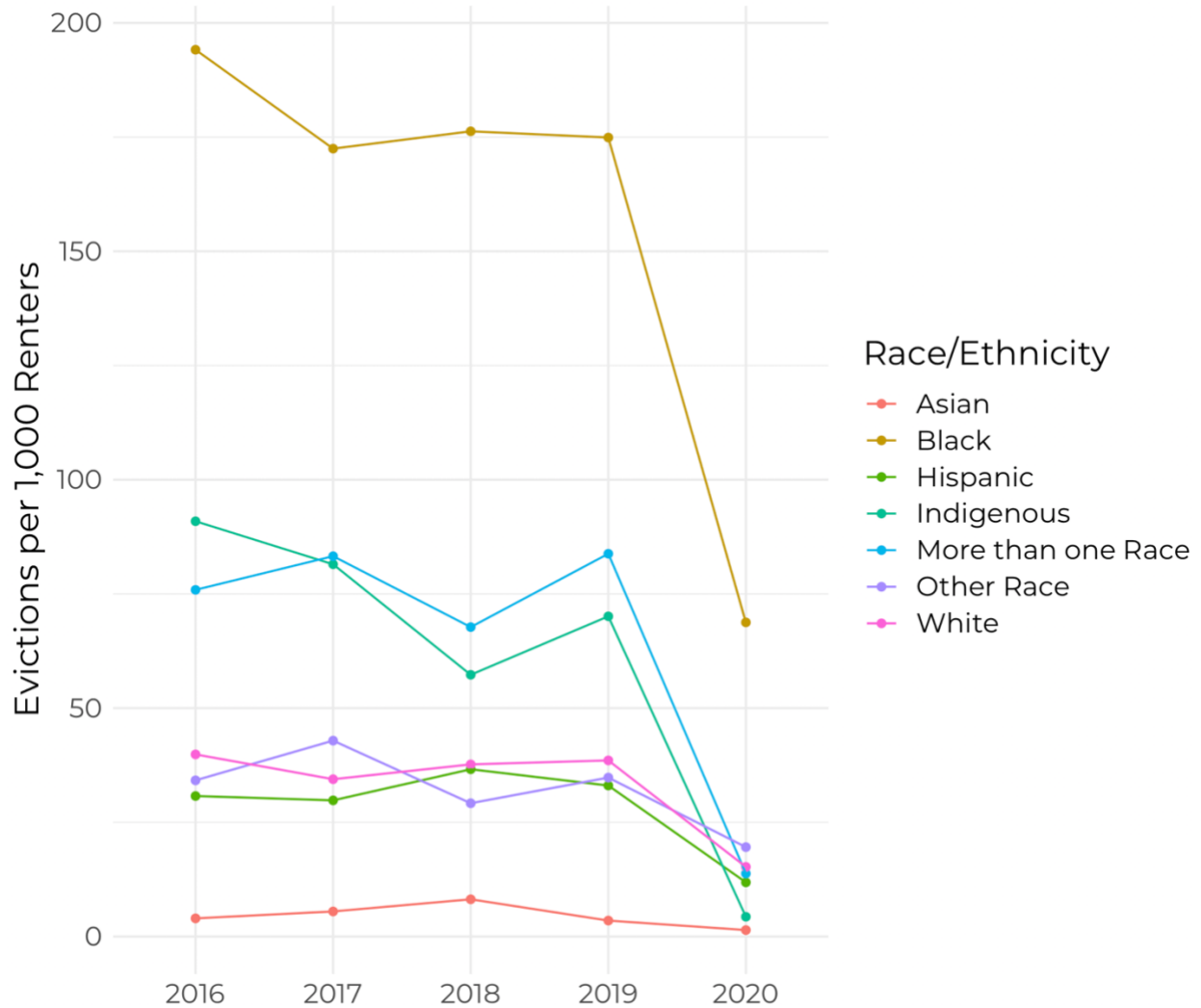
When comparing rates among People of Color to those among white tenants, some rates were significantly higher for People of Color. Black tenants experienced 4.78 times the eviction rate of white tenants, and Indigenous tenants experienced 1.68 times the rate of white tenants.

Sensitivity

We conducted a simple check to gauge the most error possible in our matching of these records. That is, what if all the eviction filing cases we could not match were white tenants? Would these disproportions remain? In short, of the 18,103 summary ejection cases not matched to voter records, 73% or more would need to be white tenants for there to be no remaining disproportionate effect with regard to Black tenants. The Census Bureau reported in 2022 that Americans unregistered to vote were 55% White, not Hispanic. [10] Durham's demographics are more BIPOC than the nation as a whole, but if the remaining unmatched tenants were 55% white, Black tenants in particular would still face 1.33 times the eviction rate white tenants do.

And while Hispanic/LatinX residents are nearly 13% of Durham County's population, they are not quite 4% of registered voters. (See the supplemental reference table on the last page of this report.) We believe they are very likely to be overrepresented in the eviction records that could not be matched to voter registration.

Figure 2. Eviction Rates for Each Race and Ethnicity Group in Durham



This chart shows eviction rates for each race and ethnic group per 1000 renters of the same group. For example, in 2020 there were 69 eviction filings against Black tenants for every 1000 Black tenants in Durham. In 2016 there were 194 eviction filings against Black tenants for every 1000 Black tenants in Durham.

Year-By-Year

By considering summary ejection rates per 1000 renters, we can see that relative rates by race and ethnicity are profoundly different. Within our data set, Asian tenants had the lowest rates year-over-year with less than 10 per 1000 renters. White renters faced an eviction rate between 30 and 35 per 1000 renters until the pandemic when they dropped to 13 per 1000 renters. And Black renters faced eviction filing rates between 175 and 200

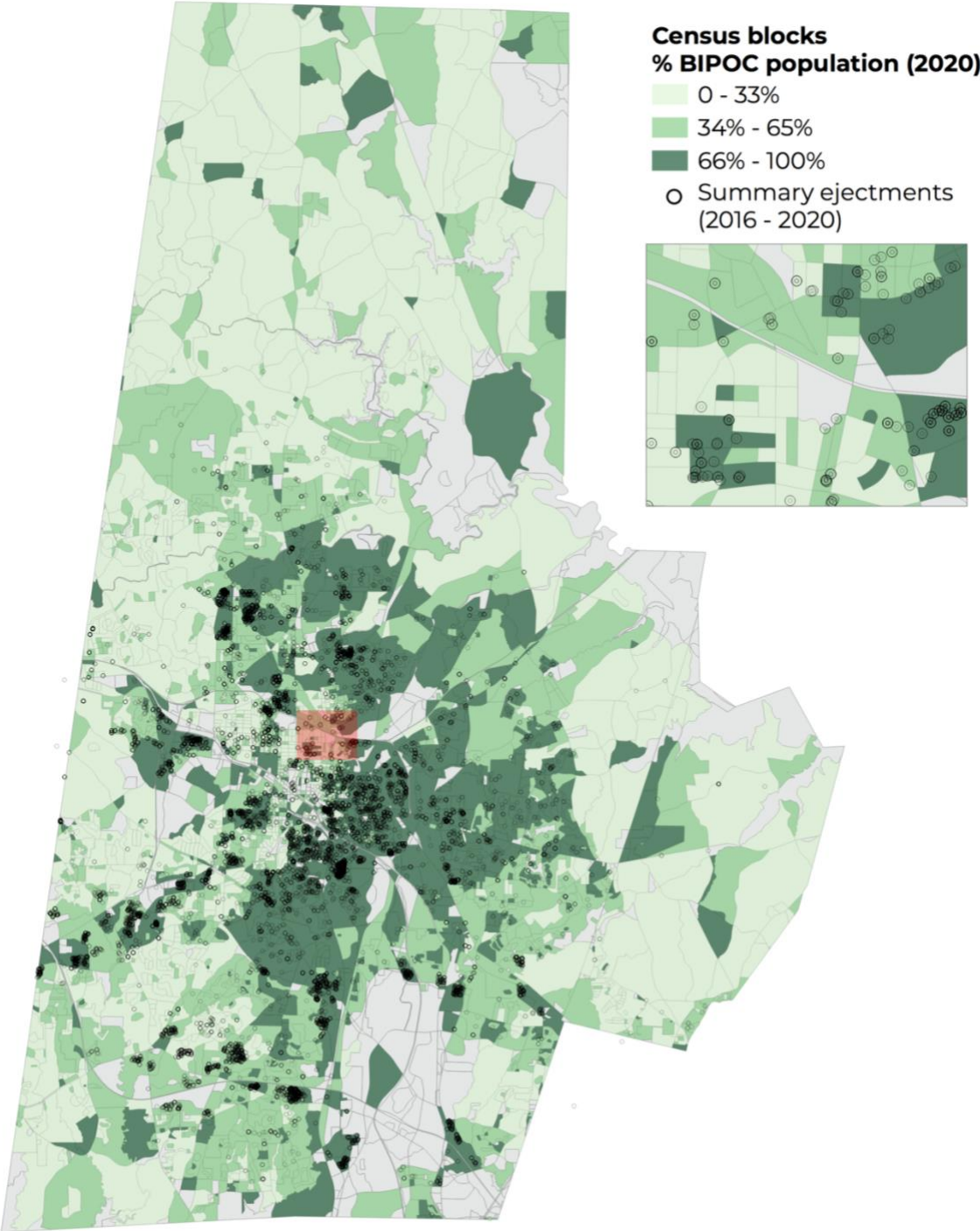
per 1000 renters. In the first year of the pandemic that rate dropped dramatically too - but only to the pre-pandemic level experienced by other highly affected race and ethnic groups: Indigenous people and those identifying with more than one race.

Geography

This section of our report focuses on further validating our methodology of assessing racial and ethnic disproportionality with Census block demographics. Our approach, as captured in the opening chart of this report, has been to summarize eviction filings by how frequently they were filed in majority (66% or greater) BIPOC Census blocks and in majority white Census blocks. From 2000-2022 summary ejections have been (73.4%) filed in majority BIPOC Census blocks and only a small proportion of them are filed in majority white blocks (5.3%). [11]

Before using these methods with our current demographic-matched VCAP dataset, the map in Figure 1 illustrates the location of eviction filings compared to the demographics of Census blocks. Note that Census blocks are the smallest area available for community demographic information and the population demographics used here come from the 2020 Census 100% count redistricting file.

Figure 3. Geographic Patterns of Race/Ethnicity and Eviction Filings



Sources: US Decennial Census 2020; North Carolina Administrative Office of the Courts 2016-2020.

Summary ejectment markers in this map layer and cluster, with darker areas reflecting greater density of cases.

77% (20,373) of the evicted tenants in our matched dataset lived in majority-BIPOC Census blocks, while only 5.3% (1,408) lived in majority-white blocks. Among the 20,373 evicted tenants in majority-BIPOC Census blocks, 89.4% were BIPOC and the remaining 10.6% were white. Among the 1,408 tenants who were evicted in majority-white Census blocks, 75% were BIPOC tenants.

So while there were more white tenants evicted in majority-white areas (25% compared to 10%), this suggests to us a more precise influence of segregated geography. The lower overall rate of eviction filings in majority-white areas may be in part the result of the general character of housing stock and higher household incomes . These areas have higher proportions of home ownership, fewer commercial apartment complexes, and therefore fewer tenants. These present-day community characteristics themselves may be seen as the result of generations of racially segregating real estate practices and public policy. In fact, in these communities, the population of tenants receiving eviction notices is still overwhelmingly Black and people of color.

RESULTS FOCUSED ON LANDLORDS

Using the VCAP civil process records allows analysis of the tenant demographics. But it also allows us to understand which landlords are most actively seeking to displace tenants. We may also better understand the geographic impact of a given landlord, or plaintiff, as well. From our final dataset, a count by plaintiff/landlord was produced using the first plaintiff named in each case. This section provides a brief description of summary statistics related to landlords in these 26,641 cases.

Table 3. Summary Ejectments Filed per Landlord in Durham County, 2016 - 2020.

Landlord	Summary Ejectment Count	% of all Summary Ejectments	% BIPOC - Evicted Tenants	% Female Tenants
Durham Housing Authority	2011	7.5	90.9	79.3
Rick Soles (including Soles Property Management)	1445	5.4	79.3	63.6
Real Estate Associates Inc	469	1.8	80.0	53.9
VS Rich Property Services	460	1.7	87.6	50.0
Duke Manor (General Services Corp.)	442	1.7	74.4	50.7
Durham Holdings (multiple LLCs)	412	1.5	84.0	66.0
Emerald Forest Durham LLC	410	1.5	81.0	53.2
Morreene West Apartments	407	1.5	91.4	40.0
Foxfire Apartments Durham LLC	385	1.4	88.6	62.1
Durham Section I & II LLC	381	1.4	88.2	63.5

The counts and percentages in this table reflect only the 26,641 summary ejectments for which voter matches could be made with tenants. These landlords filed more summary ejectments not counted here.

Our summary of these records shows the highest counts of summary ejections are from the 10 landlords named in Table 3 above. Durham Housing Authority (DHA) tops the list for the count of summary ejections filed, but also for the proportion of tenants named in eviction processes who are Black, Indigenous, or people of color (BIPOC). (The US Department of Housing and Urban Development (HUD) reports non-white tenants as “minority”, and while we are using the term BIPOC generally in this report, DHA tenants are predominantly Black.)

Among the DHA tenants facing eviction processes, 90.9% were BIPOC and 79.2% female. It is important to note that this is actually somewhat *lower* than the proportion of DHA tenants overall who are BIPOC, which in 2022 was 98%. 84% of DHA public housing households have a “female head”, also a somewhat higher rate than that for tenants facing eviction. [12]

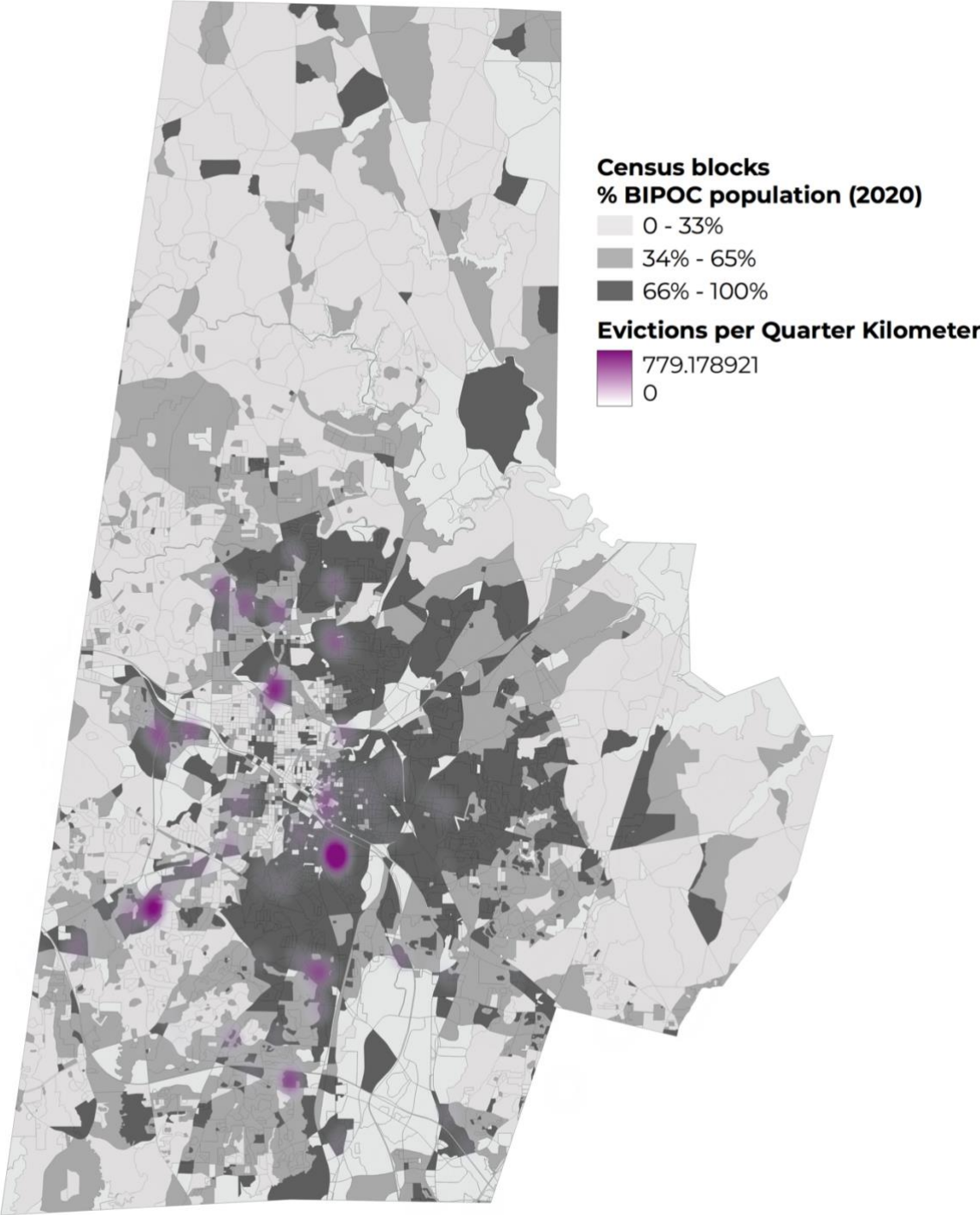
While DHA properties were home to approximately 2.2% of Durham County tenants in 2020, they were responsible for 7.5% of evictions filed from 2016-2022.² And it is worth noting that the dynamics of being evicted from public housing include the possibility of tenants losing subsidies they rely on for their housing. And that being evicted from public housing may also result from income recertification challenges that arise annually for tenants.

Private landlords indicated in this summary do not publish their tenant demographics as local housing authorities do. To compare evicted tenant demographics to the community around them - to the extent we can do so at this time - we rely on the demographics for Census blocks they lived in (see map Figure 2 below). This presents some uncertainty. While the block is a very small area and is a single property in some cases (Duke Manor, for example) they are not always the apartment buildings alone or single properties managed by these landlords. So demographics may include neighbors not leasing from them.

But as the map below indicates, all the hotspots of these landlords' evictions - minus those filed by DHA - are in Census blocks that are majority Black, Indigenous and people of color.

² Calculations derived from HUD's Picture of Subsidized Housing (<https://www.huduser.gov/portal/datasets/assthsg.html>) and the 2020 ACS 5-Year Estimates published in table B25008 Total Population in Occupied Housing Units by Tenure.

Figure 4. Hot Spots (Kernel Density) of Summary Ejectments for Highest Volume Evicting Private Landlords (Excluding DHA)



Sources: US Decennial Census 2020; North Carolina Administrative Office of the Courts 2016-2020.

Among the 1,471 landlords in our summary, only 83 have rates of evicted BIPOC tenants that are lower than the county BIPOC population (57.4%). So the disparate effects of eviction filings may be the result of more than 90% of landlords' eviction practices, and the demographics of their tenants. This glimpse of eviction filings by landlords suggests how the disproportion by race and ethnicity occurs: through the segregation of our community by race and class, tracking economically and socially vulnerable people into highly precarious rental properties where landlords file evictions against tenants at high volumes. This has the most profound impact on Black tenants, particularly Black women.

CONCLUSIONS

We have shown with the data available to us that there is a clear disproportionate impact to Black and Indigenous tenants - and especially Black women - in the summary ejection process in Durham.

- While Black tenants are 43.5% of Durham's renting population, they are 75.8% of the tenants facing eviction in our dataset.
- From 2016 to 2020, Black tenants experienced 4.78 times the eviction rate of white tenants, and Indigenous tenants experienced 1.68 times the rate of white tenants.
- 77% (20,373) of the evicted tenants in our dataset lived in majority BIPOC Census blocks, while only 5.3% (1,408) lived in majority white blocks. Among the 1,408 tenants who were evicted in majority white Census blocks, 75% were BIPOC tenants.
- While we do not have reliable data to reference the impact of summary ejections on Hispanic/LatinX tenants in Durham, we have enough anecdotal evidence from advocates and attorneys to understand they are significantly underrepresented in our dataset. This is reflected in the low voter registration rates for Durham's Hispanic/LatinX population.
- The backdrop to all eviction process data is a segregation of our community by race and class, tracking economically and socially vulnerable people into highly precarious rental properties where landlords file evictions against tenants at high volumes. This has the most profound impact on Black tenants, particularly Black women.

The health, economic, and social impacts of evictions named in the first section of this report disproportionately accumulate among BIPOC tenants. That alone is ample reason to address the eviction process and its participants to prevent further harm. As well as reckon with the historical harm of this process and how to begin repairing the damage to our communities.

It is particularly clear that “prior eviction” policies should be considered for their contributions to disparate impacts to protected classes in Durham and the United States more broadly. These policies are used by property managers to prevent leasing to tenants with prior eviction filings on their record. Protected classes are named in the [Fair Housing Act](#) for the purpose of enabling enforcement against discrimination in the housing market. The FHA made it illegal to refuse leasing to a tenant based on their race. [13] We see from the information provided in this report that enforcing such policies formally or informally would lead to a discriminatory effect, due to the inherent racial impacts of the eviction process.

Broadly speaking, the impacts of evictions on renting households must be addressed from as many angles as possible. Other examples of programs and policies that could help tenants facing the threat of eviction include the following.

The [Durham Tenants Legal Power Fund](#), which funded tenant appeal bonds with private donations. This allowed tenants to appeal a judgment, gain legal representation and move the case to district court where a landlord would need to hire a lawyer as well. This pilot, run by volunteers with support from Lockamy Law Firm, delayed or prevented displacement for 33 tenant families using less than \$16,000 before it temporarily wound down in 2023.

Tenants and those advocating for their rights and thriving in Durham have pointed to necessary programs and policies for decades. We have [documented](#) community-voiced needs before as well and some examples include: universal right to counsel for tenants facing evictions; requiring or even simply offering landlord-tenant mediation prior to filing evictions; making the eviction process take longer; expanding permanently affordable housing options, particularly among older garden apartment buildings; changing state law to expand rent control to private properties and require just cause for filing an eviction; as well as developing publicly-controlled housing.

Since the pandemic, the Durham Homes Guarantee, based on the national Homes Guarantee and direct guidance from organizing tenants in Durham, was proposed by the Policy Team of Bull City Tenants Union in 2021. In January of 2022 Durham City Council established a subcommittee to consider [vetted elements of the guarantee](#) that can become local ordinances and support tenants staying in safe, affordable homes. That subcommittee has not convened as of this writing, but it could do so and adopt tenant-protecting ordinances while serving as a forum for ongoing tenant support from policy makers.

Getting evictions dismissed from tenant records and sealing records are both important ways to prevent prior evictions from following a tenant and preventing future housing options. This is especially important considering that there is a common property management practice of using summary ejection records to filter lease applicants. Tenants named in an eviction case – whether they were wrongly filed against, settled a case quickly with their landlord, or even won their case against a landlord – can be rejected by blanket prior eviction policies as readily as those found at fault in some way by a court.³

Finally, looking upstream of formal and informal eviction processes, the effect of speculative practices with residential property play an important role. We have observed often how successive purchases of commercial apartment complexes have driven eviction rates higher over time and that with each purchase, the sale price grows farther and farther above the taxed appraisal value. A recently published report about this for Durham County by Hudson Vaughan⁴ can help understand the speculative model of commercial real estate that often drives displacement and eviction filings. Tax Administrations can pursue appropriate taxation of these properties, which may curb speculation on one hand or generate desperately needed tax revenue for eviction diversion and the other interventions we name here.

³ The relationship between prior eviction policies and sealed eviction records is illustrated well with a federal Fair Housing lawsuit recently filed by Legal Aid Chicago against a prominent leasing company that relies on acquiring eviction records to enforce their prior eviction policy. https://hopefair.org/wp-content/uploads/2023/07/Press-Release_-_Cook-County-Eviction-Screening-Challenge.pdf

⁴ “Durham’s highest value commercial properties and apartment complexes are underassessed and undertaxed”, by Hudson Vaughan, September 8, 2023. Full report linked in article.

<https://dataworks-nc.org/2023/durhams-highest-value-commercial-properties-and-apartment-complexes-are-underassessed-and-undertaxed-why-this-matters-for-all-of-durham-and-beyond/>

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10. U.S. Census Bureau . "Voting and Registration in the Election of November 2022." (2023). [Website: <https://www.census.gov/data/tables/time-series/demo/voting-and-registration/p20-586.html>]
11. Deidentified eviction records from 2000 - 2022 are sourced from the Durham County Sheriff's Department, collected by DataWorks NC.
12. 2022 Picture of Subsidized Households. US Department of Housing and Urban Development. 2023. [Website: https://www.huduser.gov/portal/datasets/assthsg.html#query_2009-2022].

13. United States Code 42, Chapter 45. "Fair Housing".1968. [Website: https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_act_overview]

Supplemental Reference: Under-representation of Hispanic/LatinX Population in Voter Registration Data.

Race or Ethnicity	Percent of Registered Voters	Percent of Voting Age Population
AMERICAN INDIAN or ALASKA NATIVE	0.2	0.2
ASIAN	3.1	5.6
BLACK or AFRICAN AMERICAN	34.5	33.5
HISPANIC or LATINO	3.9	12.7
OTHER	1.8	0.5
TWO or MORE RACES	1.1	3.1
UNDESIGNATED	8.0	
WHITE	47.4	44.4

Source: North Carolina Board of Elections (2020) and US Census Bureau (2020).