



Stomp Out Slumlords

An Anti-Eviction Operations Manual

Revised October 2017
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The Theory:

Finding chokepoints in the displacement machine

The New Housing Crisis

Most cities in the U.S. are facing a historic housing crisis, distinct from the one that slammed the housing market a decade ago. Rents are rising much faster than renters' incomes, and as a result, housing costs consume a rising share of household budgets.

More than 11 million families spend more than half of their income on rent. Governments are cutting back subsidies and quietly relaxing rent controls. Historically neglected inner city neighborhoods are experiencing a wave of investment, but long-time residents are unable to reap the benefits. The urban working class—most of whom are people of color—are increasingly pushed to the crumbling margins of metropolitan areas, cut off from transit, access to employment, and public services, or else they are packed into shrinking segregated zones of deprivation, which are treated by developers and municipal governments as land banks whose residents can be ignored until it is time to displace them and capitalize on rising property values.

This crisis is global, with similar dynamics playing out from San Francisco and São Paulo to Hamburg and Hong Kong. The causes are complex and cannot adequately be addressed here: changing employment structures, the shift from manufacturing to service industries, rising demand for land in urban cores, the availability of vast global stores of surplus capital chasing speculative investment, the end of state-led suburbanization drives, a foreclosure wave that forced millions of formerly home-owning households into the rental market, etc.

Regardless of the underlying causes, it is impossible for socialist activists to ignore struggles over rents, housing conditions, displacement, and segregation.

The Chokepoint

How do we confront this situation? Traditions of tenant organization are sporadic, especially in the U.S.; we should embrace experimentation wherever it occurs. Most tenant organizing concentrates on policy advocacy: demands for protection against arbitrary eviction (so-called "just cause" ordinances), for the institution of rent control, for more funding of subsidized housing. All of these are worthy causes, but how do we give real force to our demands?

It is hard to identify instances where housing policy has shifted in response to the demands of organized tenants, especially when those tenants focus on policymakers as their primary target. Major shifts in housing policy (the Fair Housing Act, expan-

sions of public housing, municipal campaigns to clean up slums, etc.) have usually been made in response to the *spontaneous rebellion* of poor people in the form of riots, strike waves, and rent strikes. Frequently, reform occurs when developers, builders, banks, and other major actors in the housing industry support it because they want government intervention to calm the unrest disrupting their business. So a critical question for socialists becomes: how are we going to disrupt the housing industry?

A DSA working group in Washington, D.C. has identified a strategic chokepoint that will allow us to effectively challenge the city's landlords: landlord-tenant court, the institution responsible for evictions. The power and profit of landlords always depends on eviction: **housing can only be a commodity as long as owners have the right to deny shelter to people who do not pay.** Our strategy is to make it as difficult as possible to wield eviction as a weapon by raising the costs of evicting a tenant and flooding the channels that permit and carry out evictions. Poor tenants have the latent power to clog the machinery of displacement, and we have developed a program to unlock that power.

The Terrain:

Clogging up landlord-tenant court

Landlord-Tenant Court 101

Like most cities and states in the U.S., D.C. has judicial evictions which require that landlords receive an order from a judge to evict their tenants (in cities and states with hostile landlord-tenant laws or with "self-help evictions," where landlords can carry out evictions on their own, our strategy is less viable). Eviction cases are handled in a special landlord-tenant court, which must process dozens of cases every weekday. Handling this massive load of eviction cases is unfortunately easy for the court, because most people sued for eviction never show up to defend themselves.

Tenants skip their court date for many reasons. Appearing before a judge is confusing, scary, and humiliating. Most people don't know that there are ways to get legal help or legal defenses they can raise themselves. Many owe rent they cannot afford to pay and don't see that going to court can remedy the situation. Many have other responsibilities like work and child care. Many are in denial, and count on a lucky break, a favor from a friend, or a miracle to save them. These motivations are all understandable, but we need to punch through them all the same: if people show up and have a plan to fight, they have a good chance of winning something: more time, a payment plan, repairs, etc. If they skip their court date, they're guaranteed to lose.

When people lose, the consequences are devastating. The impact of an eviction judgment on individuals' credit records and rental histories can prove to be a major

obstacle in finding new housing. Many join the swelling ranks of the District's homeless population. Others wind up in living situations much worse than the ones they were in: further from jobs, transit, services, friends, family, with worse conditions and higher levels of crime and violence. Individuals who are violently displaced experience traumatic "root shock;" children who are displaced have much worse educational outcomes and can experience permanent damage to their emotional well-being and chances in life.

Since most people don't know how to navigate the system, the court functions as an assembly line for evictions. When a case is called and a tenant fails to appear, the landlord's attorney inevitably moves for a "default judgement" granting a virtually automatic decision to evict. Following the roll call of cases, tenants wait to meet with landlords' attorneys in impromptu "offices," with the very structure of the physical space conferring some of the court's legitimacy and power on the attorneys. Most tenants who do appear are trying to negotiate a payment plan or some other form of agreement with their landlord. These tenants are desperate, and landlords capitalize on their desperation by steering them into coercive, exploitative agreements called "consent judgements" where tenants surrender their due process rights in exchange for accepting a judgement for eviction that is delayed frequently by only a few weeks.

How to Beat a Landlord

Landlord-tenant court is not hopeless. When people do show up and know their rights, they have a number of ways to challenge their landlord:

- **Continuance:** Tenants can play for more time by making a motion to continue the case to a later date. If they want to bring out the big guns they can request a jury trial.
- **Retaliation:** Tenants can challenge the legality of evictions that they believe are retaliatory.
- **Conditions:** Tenants who are behind on their rent (in landlord-tenant court they almost always are) can contest how much they owe by bringing up housing code violations and deferred maintenance, arguing that the judge shouldn't allow the landlord to collect all the rent. Given the ubiquity of slum conditions, this defense is frequently effective.

If all or even most tenants showed up to court, they could collectively throw the court into chaos. If tenants don't show up for their hearings, landlords pay at most \$300 in fees, while a full landlord-tenant trial costs more than \$10,000 to litigate. Because these cases can be costly, we frequently see landlords make significant concessions when tenants push back at all.

As a result, we believe landlords would be much more hesitant to file eviction cases if they routinely encountered resistance. If the court had to handle even twice as many

trials, cases would start to pile up, slowing down the system for all eviction cases. Then the court simply wouldn't have the resources to handle its responsibilities.

There is precedent for poor people causing mass disruption simply by exercising their long-neglected rights en masse. In the 1960s, the unemployed of large deindustrializing cities started flood welfare offices, signing up for benefits that were technically available according to statute books but rarely claimed in practice. Instead of atomized individuals, welfare claimants showed up in aggrieved crowds, intimidating bureaucrats who would have formerly used arcane protocols and paternalistic eligibility criteria to deny benefits. Welfare offices became sites of struggle, as protests and even riots broke out spontaneously. City and state welfare agencies were forced to radically alter their practices, drastically widening the availability of benefits and putting massive pressure on public budgets.

Frances Fox Piven and Richard Cloward, organizers and scholars who studied the phenomenon and encouraged new leftists to help welfare claimants sign up for benefits and push them to be more assertive in their interactions with the bureaucracy, credited the movement with forcing the federal government to restructure welfare and create SSDI to divert many of the claims. We believe we have identified an equivalent of a Piven-Cloward strategy for the housing crisis.

The Program:

From case lookup to door knocking

Collecting Cases

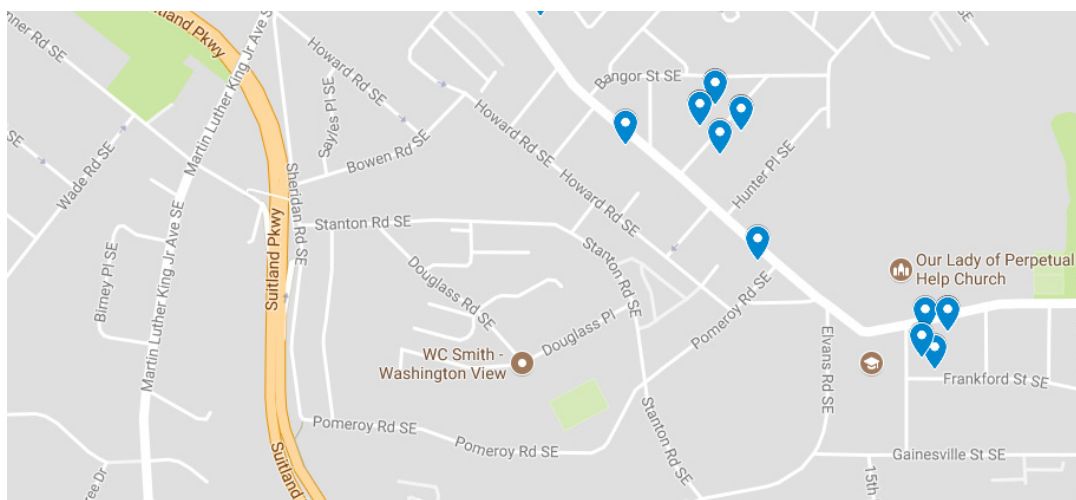
The first step in talking to tenants facing eviction is to find them. In D.C., this is relatively easy, as all court proceedings are publically available. There are other jurisdictions where collecting cases is substantially more difficult -- friends in California have informed us that state law makes "masks" records of eviction cases until they have been resolved. When we began the project, we sent volunteers to the courthouse to look up complaints submitted by the landlord on a public terminal in the clerk's office, which include the address of the person being sued.

More recently, the D.C. Courts rolled out a new case lookup website that allows us to access these documents without going to the court building, making it much easier to pull all landlord-tenant cases. Once we get the information, we log all the cases in a database we made using Airtable. Our database includes the case number, the landlord's name, the name and address of the defendant, and the court date.

2017 LTB 021228	Borger Management INC.	10/11/2017			3800 New Hampshire Ave, NW	208
2017 LTB 021227	Borger Management INC.	10/11/2017			3800 New Hampshire Ave, NW	806
2017 LTB 021226	Borger Management INC.	10/11/2017			3800 New Hampshire Ave, NW	30
2017 LTB 021225	Borger Management INC.	10/11/2017			3800 New Hampshire Ave, NW	403
2017 LTB 021224	Borger Management INC.	10/11/2017			3800 New Hampshire Ave, NW	301
2017 LTB 020820	Forest City Residential Manag	10/12/2017			1331 4th St, SE	0430
2017 LTB 020818	Forest City Residential Manag	10/12/2017			1331 4th St, SE	0607
2017 LTB 0208...	Forest City Residential Manag	10/12/2017			1331 4th St, SE	0807
2017 LTB 020808	Forest City Residential Manag	10/12/2017			1331 4th St, SE	0506
2017 LTB 020806	Forest City Residential Manag	10/12/2017			1331 4th St, SE	0608
2017 LTB 020743	Oak Park Phase II Limited Par	10/10/2017			175 Joliet St, SW	103
2017 LTB 020742	Oak Park Phase II Limited Par	10/10/2017			143 Ivanhoe St, SW	101

Cutting Turf

Once we collect cases, we cut turf. We use Google Maps to plot a group of addresses, divide those addresses into geographically concentrated groups, and make walk lists for canvassers. We try to organize at least one big canvass a week with 10-15 volunteers while also having smaller groups of more experienced canvassers operating on their own time.



When canvassers go out, they take a “Know Your Rights” pamphlet written and designed by members of our chapter. We tried to make the pamphlet as simple and visually compelling as possible. It explains how the court works, the defenses tenants can use, and ways that people can get free legal help. Above all we emphasize that not showing up for court means losing automatically. The canvassers aren’t well versed enough in the law to give people in-depth advice, and we also don’t want our members getting in trouble for practicing law without a license. So we concentrate on pushing people to go to court and giving them a heads up that the landlord may offer a settlement with really dangerous terms. We encourage our canvassers to collect the contact information of anyone they speak to so that we can remind tenants to go to court and check if they’ve gotten the help they need.

We encourage our canvassers to collect the contact information of anyone they speak to so that we can remind tenants to go to court and check if they've gotten the help they need. We also suggest canvassers get the contact information of people they talk to who are not up for eviction, as it is always helpful to have a contact at buildings that are frequent targets for eviction. We also hope to eventually involve these contacts themselves in organizing work—see “The Plan,” below. We also check in after their court date to find out the results of their hearing(s).

We encourage people to contact legal services for individual help, although we're a little ambivalent about it because we understand lawyers tend to be skeptical of organized defiance and disruption. On balance we still think it's worth pushing people to consult with a lawyer, because the lawyer will at least tell the tenant not to accept a move-out agreement or consent judgement.

Gathering Data

In addition to gathering contact information so we can follow up with tenants before their court date, we make sure that canvassers track the outcome of each canvass. We ask them to log whether they spoke with the tenants, spoke with someone else who happened to be in the apartment, left a pamphlet on the door without speaking to anyone, or were unable to enter the building to access the unit. These outcomes are logged in our database, and after the hearing has happened, we look up the case in the D.C. Courts website to see the result and add that to the database as well.

Case No.	Landlords	Court D.	Quadrant	1st Canvassers	1st Visit Outcome	Canvassing Comments	Phone Number for follow-up
2017 LTB 017262	Novo Development Corp	9/6/2017	SE		8/26/2017	Left pamphlet without speaking to ...	
2017 LTB 017261	Novo Development Corp	9/6/2017	SE		8/26/2017	Spoke with tenant	Is expecting to be paid up before court
2017 LTB 017175	Horning Management	9/11/2017	SE		8/26/2017	Spoke with tenant	Said they were unaware of a case
2017 LTB 017174	Horning Management	9/11/2017	SE		8/26/2017	Spoke with someone else	Didn't want to talk
2017 LTB 017173	Horning Management	9/11/2017	SE		8/26/2017	Spoke with someone else	Left Rob's number
2017 LTB 017172	Horning Management	9/11/2017	SE		8/26/2017	Spoke with someone else	Left flyer and Rob's number with son
2017 LTB 017171	Horning Management	9/11/2017	SE		8/26/2017	Left pamphlet without speaking to ...	Neighbors were also on list and said they...
2017 LTB 017170	Horning Management	9/11/2017	SE		8/26/2017	Left pamphlet without speaking to ...	
2017 LTB 017169	Horning Management	9/11/2017	SE		8/26/2017	Spoke with tenant	Very enthusiastic about going to court
2017 LTB 017168	Horning Management	9/11/2017	SE		8/26/2017	Spoke with someone else	Spoke to tenant's daughter, who is also ...
2017 LTB 017167	Horning Management	9/11/2017	SE		8/26/2017	Left pamphlet without speaking to ...	
2017 LTB 017166	Horning Management	9/11/2017	SE		8/26/2017	Left pamphlet without speaking to ...	
2017 LTB 017165	Horning Management	9/11/2017	SE		8/26/2017	Spoke with tenant	Says she took care of it
2017 LTB 017164	Horning Management	9/11/2017	SE		8/26/2017	Left pamphlet without speaking to ...	

We track everything we do and the outcomes of the cases because we want to be able to measure our impact. So far, the results are promising. We ran a logistic regression to measure the correlation between our canvassing results and case outcomes, and we found that tenants we've talked to are about 1.8 times as likely to go to court as people we don't talk to. The effect is statistically significant, and remains so when we control for the poverty level of the census tract where the tenant lives.

		Variables in the Equation						95% C.I. for EXP(B)	
		B	S.E.	Wald	df	Sig.	Exp(B)	Lower	Upper
Step 1 ^a	Contact_Speaking	.579	.271	4.575	1	.032	1.785	1.050	3.036
	Contact_Pamphlet	.123	.211	.338	1	.561	1.130	.748	1.709
	MedHHInc2010	.000	.000	.360	1	.548	1.000	1.000	1.000
	Constant	.521	.247	4.473	1	.034	1.684		

a. Variable(s) entered on step 1: Contact_Speaking, Contact_Pamphlet, MedHHInc2010.

Canvassing Tips

Lots of our members have experience canvassing for political campaigns, but this project requires a different approach. We've assembled a few tips for our canvassers we want to share here, though this is by no means an exhaustive list:

- **Get phone numbers:** We want to follow up with the people we canvass. We can't emphasize the importance of this point enough.
- **Discretion:** many people facing eviction feel a lot of shame about what they're going through and don't want their neighbors hearing about what's happening to them. We want people to be comfortable talking to us, so when we explain why we're there, we try to not to be as direct as saying "you're getting evicted." We usually introduce ourselves by saying we're doing outreach about tenants rights, and if we're in an apartment building we ask people if they want to talk in their hallway or step into the apartment so we don't have to have the conversation in a semi-public environment.
- **Assessment:** We want our canvassers to assess the likelihood that people are actually going to go to court. The simplest way to do that is to figure out if the person we're canvassing has a real plan to make it to the court, so we ask questions like "You won't have to work that day, will you?" or "Are you going to have to ask for time off?" or "Do you know where the court building is?" etc. to get a sense of whether they have thought concretely about going.
- **Entering buildings:** Lots of apartment buildings don't have front doors that lock, which is bad for tenants but makes life easier for us. When we do encounter a locked door, we usually wait for someone to come in or out, explain that we're doing know-your-rights outreach to tenants, and ask that person if we can come in. If a building has a security desk, we often ask a tenant to accompany us as we walk in. If a tenant says no to us, we usually just wait for another person to come. We like to be invited in because under D.C.'s right-to-organize law, if a tenant invites us into a building, the landlord can't compel us to leave.
- **Talk to everyone:** We encourage our canvassers to talk to everyone they meet when they're at a property, to be forthcoming about what we're doing, and to carry extra pamphlets to give out to interested people. If people are interested in what we have to say, we try to get their contact information. We want everyone in the community to know what their rights are. We also want to develop relationships with people in the complexes and neighborhoods we canvass, since they can help get us more access, reach more people, and hopefully join our efforts in the near future.
- **Don't illegally practice law:** We want to make sure our canvassers don't give people legal advice about their cases, since that would be false practice of

law. We instruct canvassers to stick to giving general information about how the system works rather than advice about what any given individual ought to do about their particular case, and to emphasize as much as is necessary that they aren't lawyers.

Why We're Doing It This Way

When we explain this project to friends and comrades, we are frequently asked why we aren't doing something else. There are a couple of alternatives people frequently suggest, and we want to take a moment to address them now:

Why aren't we organizing building-level tenant organizations?

We think tenant associations are great, but we have consciously decided not to make building organizing the center of our project. In part this has to do with our resources: there are a lot of D.C. DSA members who want to contribute a few hours a week of door knocking, telephone calls, or data entry a week, but few with the time and experience to hold all the relationships necessary to be an outside organizer in an apartment building. It's easy to plug members into a canvassing operation.

But we also have strategic reasons for focusing on the court. The court is a strategic chokepoint that touches the lives of thousands of tenants each year, and its regular operations depend on the passivity of its victims. Meanwhile, most apartment buildings are small, and victories over conditions or management practices touch only a tiny handful of the District's tenants. In our experience, tenant associations easily get bogged down in negotiations in which they have very little leverage or legal proceedings that take years and demobilize people. Additionally, most people with complaints about their apartments don't really want to make their grievances a big part of their life. People in landlord tenant court are usually in crisis and ready to fight.

Why aren't we organizing rent strikes?

It is frequently suggested to us that tenants really only have leverage to demand things from their landlord when they withhold rent. We agree! But rent strikes are an enormous logistical challenge, and they require a long, long process of building trust with tenants and training leaders. Rent strikes cannot be effective if there is no strategy to prevent the landlord from evicting all the participants. We are investigating how we can do this; when we figure it out and have successfully implemented the strategy, we'll be sure to share a rent strike operations manual.

Why aren't we stopping evictions through direct action?

Lots of people have heard inspiring stories of Communist-organized mobs preventing evictions in Depression-Era Harlem and they ask us why we don't do that. We don't live in Depression-Era Harlem. Some of us were involved in an initiative called Occupy Our Homes and used to organize blockades at homes where eviction were

scheduled, and it didn't really work. We just got beat up by U.S. Marshals and the people got evicted anyway. When you confront the coercive apparatus of the state, you almost inevitably lose. It's very difficult to organize people to get involved with your political project if the entry point is getting roughed up by cops.

Most of the people we worked with were not interested in some kind of blockade. They preferred to move out in a dignified way once the landlord got a judgement against them rather than having all their possessions dumped out on the street. By the time an eviction is actually being carried out, a tenant has exhausted all other options. If we really want to stop evictions on a large scale, we have to intervene much earlier in the process.

The Plan:

How we want to develop this program

Organizing Cadres

Our canvassing makes a difference, but we're still not satisfied. For one thing, we're still only canvassing a fraction of people being sued for eviction. We want to talk to all of them, and to do that we're going to need to recruit more canvassers and get people canvassing more regularly. We're striving to form other organizations who want to support this program. We also want to have more of an organized presence in the court: when we're there, we inevitably find dozens of confused people desperately looking for guidance, and lots of them inevitably get suckered into a bad deal with their landlord. We want to have volunteers waiting in front of the court to remind people of their rights, explain the process for them, and encourage them to be more assertive in pressing for what they want.

And above all, we recognize that we need to be organizing the people we're canvassing. We want to develop a cadre of tenant leaders in the poor, predominantly black neighborhoods where evictions are concentrated who can educate their neighbors about the process and agitate for a more defiant approach. In the near future we're going to start inviting the people we canvass to a workshop on tenants rights where we can have a more in-depth conversation about how the eviction process works. Our goal is to have more explicitly political conversations and to encourage people to get involved in our efforts or get organized in their buildings and neighborhoods

If we can significantly increase turnout at court and successfully organize that cadre of leaders, we can begin to use the court to organize more self-conscious collective action. We prefer to let the people we organize define the direction of the action, but we can easily imagine organized protest at the court itself, or targeting city government or landlords with particularly abusive eviction policies. We could also use the relationships we make in the court as an entry point for building organizing.

Going National

We also want to support other DSA chapters and independent organizers interested in developing versions of this project in other areas. Obviously we're most familiar with the legal and political terrain of Washington, D.C., but we're eager to connect with people in other places and help orient investigations into how a project like this could work. If you want to connect, reach out us at tenants@dsadc.org. We'll be waiting.

Appendix:

Samples, examples, templates

Be sure when printing the Canvassing Pamphlet to print double-sided, flipped along the short-edge. In order to edit the pamphlets, you will need to download two fonts, Rubik and Open Sans, both available for free through Google Fonts. We're including them in the master folder here where all the following files live:

- [Drive folder with all files](#)
- [Canvassing Pamphlet \(CC InDesign File; .indd\)](#)
- [Canvassing Pamphlet \(CS6-compatible InDesign File; .idml\)](#)
- [Canvassing Pamphlet \(Editable PDF\)](#)
- [Sample Walk Sheet \(Google Document\)](#)

 MetroDCDSA
 @dc_dsa

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Don't hesitate to contact us to request assistance or support.

DSA
METRO
DC



Metro DC
Democratic Socialists
of America

Is your landlord trying to evict you?

**Know your rights
and *fight back!***



If your landlord is trying to evict you, you have rights.

The only way a landlord can evict a tenant in Washington, DC is by going to landlord-tenant court and getting a judgment, then a writ from a judge. You have an opportunity to make your case. If you go to court, you may be able to win your case, or get more time so that you can pay any back rent you owe or find another place to live.

If you go to court, you can win. If you don't go to court, you are guaranteed to lose. Landlords count on you not to know your rights or stand up for yourself. Eviction is an industry, and it's profitable because most tenants never come to court to make the landlords and their lawyers work to put them out.

Go to court for your hearing.



Be at 510 4th Street Northwest at 9:00 am on the day of your hearing. If you know you will be unable to attend court on the day your hearing is set, you can call the clerk's office at (202) 879-4879.

Speak with a lawyer.

Don't go it alone! Your landlord will have a lawyer. Tenants with lawyers generally get evicted six times less frequently than those who go alone. The earlier you seek legal assistance, the more likely you are to get representation and better advice.

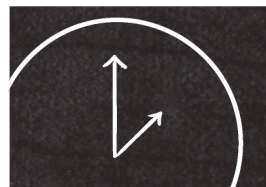
Call the DC Bar at (202) 626-3499 and ask for advice about finding an attorney for Landlord-Tenant Court.

On the day of your trial you can get legal help by going to the Landlord-Tenant Resource Center (Room 115 at the court building at 510 4th Street Northwest) or visiting Law Students In Court in Room 112.



You have a right to a trial.

There are legal motions you can file that will give you more time to defend your rights, whether or not you have a lawyer yet.



You can request a continuance (so that the trial is continued at a later date) in order to find a lawyer. Note that if you do this, you must ask to "reserve" your jury rights.

You can request a jury trial. A jury will usually be more sympathetic to a tenant than to a landlord, and a jury trial will buy you more time before a writ of eviction is issued. It usually costs money to request a jury trial, but the **fee can be waived** for low income people who fill out a form called an IFP. IFPs are available in the clerk's office and usually only take about five minutes to fill out! You qualify if you receive the following benefits: TANF, SSI, Medicaid, or DC Healthcare Alliance.

When you show up, one thing the landlord's attorney might offer you is a "**consent judgment.**" These can provide additional time, but entering into them means you lose the ability to raise defenses. The landlord's attorney doesn't work for you, and it is usually a good idea to have a lawyer look over something before signing it.

Defenses against eviction.

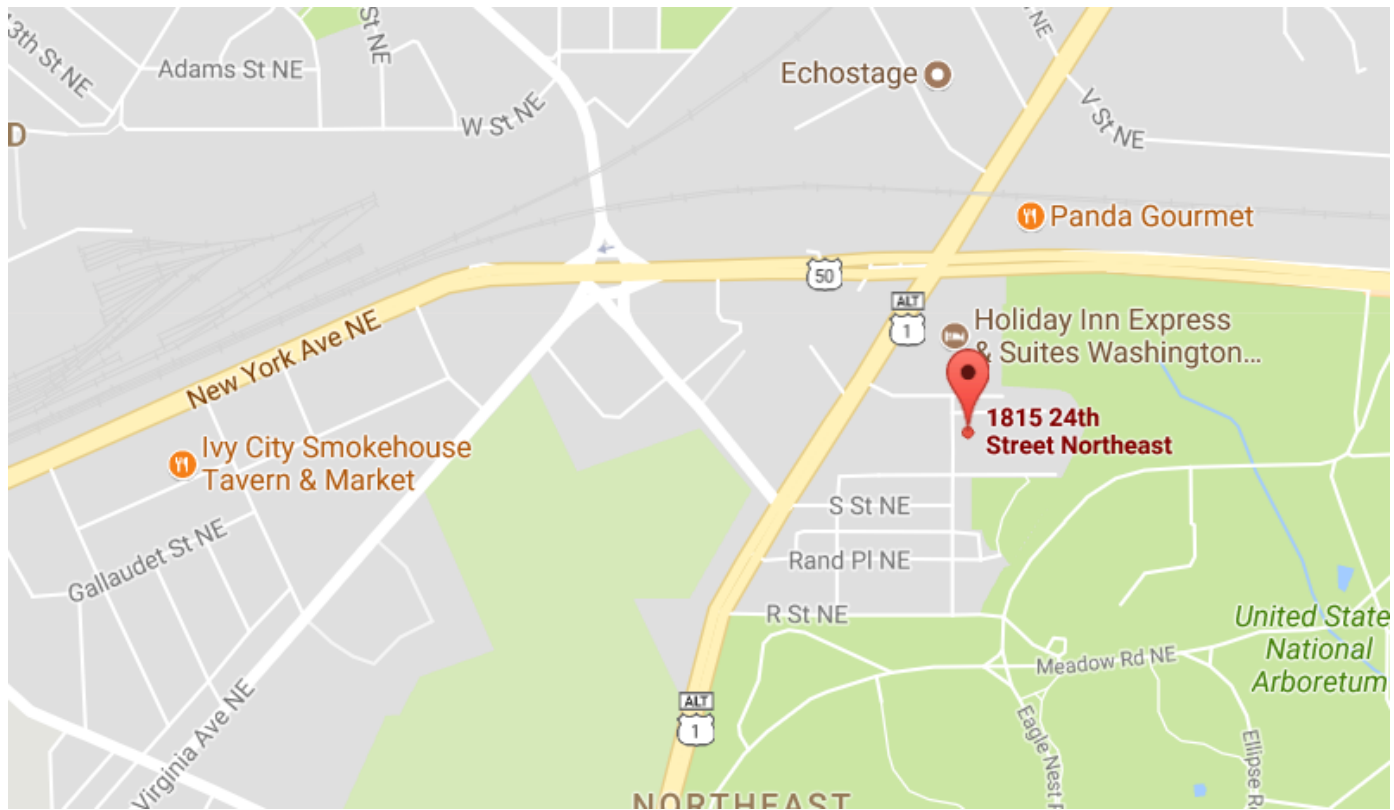
These are some common legal defenses against eviction. Try to talk to a lawyer and see if any apply to you.



- **Bad conditions:** If there are major housing code violations in your apartment, a judge may rule that the landlord does not have the right to collect rent until they are fixed.
- **Retaliation:** It is illegal to use eviction to retaliate against tenants. If you have asserted your rights as a tenant in the last 6 months (for example, by complaining about conditions or challenging a rent hike), the judge must consider the possibility of retaliation.
- **Notice:** If you can speak with an attorney, ask what kind of notice your landlord was required to give. If you didn't receive proper notice, you should not be evicted.

Canvasser Info:

NAME	PHONE #	EMAIL



Worksheet:

NAME	ADDRESS	UNIT	COURT DATE	OUTCOME	GOING?	CONTACT INFO	NOTES
Jane Doe, John Deer	1810 24th St, NE	103	10/18	No access Left Flyer Spoke to Other Spoke to Tenant			
				No access Left Flyer Spoke to Other Spoke to Tenant			
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