

California Commission on Access to Justice

The Access to Justice Implications of California's Rural Housing Crisis

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THE RURAL HOUSING CRISIS

A dramatic housing crisis is limiting who gets to call California home, and the crisis extends beyond urban areas to the state's rural reaches. High housing costs¹ and an inadequate supply of safe and affordable housing² are persistent challenges to keeping both rural and urban Californians housed. Insufficient legal protections for renters³ and mortgage holders exacerbate the problem. The resulting access to justice challenge for low-income and modest means residents is aggravated in rural areas by the underfunding of legal aid organizations⁴ and the state's rural lawyer shortage.⁵ All of these factors contribute to recent increases in the state's homeless population.⁶

Most low-income people face at least one civil legal issue in a year.⁷ For rural Californians, however, their nearest legal service provider is rarely nearby.⁸ Only one legal aid attorney is available to assist about 5,500 Californians at 125 percent of poverty level,⁹ and legal aid

¹ For example, Fresno County saw rent increase by 22 percent from 2000 to 2015, while at the same time median renter income decreased by 8 percent. California Housing Partnership, *Fresno County Renters in Crisis*, 2017, <https://1p08d91kd0c03rlxhmhtydpr-wpengine.netdna-ssl.com/wp-content/uploads/2017/05/Fresno-Housing-Need-2017.pdf>; Jonathan Woetzel et al., *Closing California's Housing Gap*, MCKINSEY & COMPANY (Oct. 2016), <https://www.mckinsey.com/featured-insights/urbanization/closing-californias-housing-gap>; Ben Bergman, *Housing is Now Unaffordable in Many Rural Parts of California Too*, SCPR (Oct. 25, 2016), <https://www.scpr.org/news/2016/10/25/65768/housing-is-now-unaffordable-in-many-rural-parts-of/>.

² California ranks 49th in the United States in housing units per capita. Umair Irfan, *California's newly homeless fire victims face the state's severe housing shortage*, Vox (Nov. 16, 2018), <https://www.vox.com/energy-and-environment/2018/11/16/18098441/paradise-california-wildfire-housing>.

³ See *The Unmet Need for Legal Aid*, LSC, <https://www.lsc.gov/what-legal-aid/unmet-need-legal-aid>.

⁴ Nicole Montojo et al., *Opening the Door for Rent Control: Toward a Comprehensive Approach to Protecting California's Renters* 4, THE HAAS INSTITUTE FOR A FAIR AND INCLUSIVE SOCIETY (2018), <https://haasinstitute.berkeley.edu/opening-door-rent-control>;

⁵ See, e.g., *The Unmet Need for Legal Aid*, LSC, <https://www.lsc.gov/what-legal-aid/unmet-need-legal-aid>.

⁶ CALIFORNIA COMMISSION ON ACCESS TO JUSTICE, CALIFORNIA'S ATTORNEY DESERTS: ACCESS TO JUSTICE IMPLICATIONS OF THE RURAL LAWYER SHORTAGE (2019); Lisa R. Pruitt et al., *Legal Deserts: A Multi-State Perspective on Rural Access to Justice*, 12 HARV. L. & POLICY REV. 15 (2018) (utilizing data mapped by James Meeker, Professor Emeritus of UC Irvine, in 2016); *Practicing Law in a Legal Desert*, California Lawyers Association Newsletter (Sept. 2019), <https://calawyers.org/california-lawyers-association/practicing-law-in-a-rural-legal-desert/>.

⁷ United States Interagency Council on Homelessness. *California Homelessness Statistics*. <https://www.usich.gov/homelessness-statistics/ca/> (As of January 2018, the U.S. Department of Housing and Urban Development (HUD) estimated that California had 129,972 people experiencing homelessness on any given day. Of that total, 6,702 were family households, 10,836 were veterans, 12,396 were unaccompanied young adults (aged 18-24)).

⁸ THE LEGAL SERVICES CORPORATION (LSC), THE JUSTICE GAP 48 (2018), <https://www.lsc.gov/sites/default/files/images/TheJusticeGap-FullReport.pdf>. Nationally, around 10 million rural residents have family incomes below 125 percent of the federal poverty level. *Id.* For a definition of "civil legal issue," see *Civil Legal Aid 101*, Department of Justice, <https://www.justice.gov/atj/civil-legal-aid-101>.

⁹ Lisa R. Pruitt & Bradley E. Showman, *Law Stretched Thin: Access to Justice in Rural America*, 59 SOUTH DAKOTA LAW REVIEW 466, 487 (2014); CALIFORNIA COMMISSION ON ACCESS TO JUSTICE (CCAJ), IMPROVING CIVIL JUSTICE IN RURAL CALIFORNIA 19 (2010), http://www.calbar.ca.gov/Portals/0/documents/accessJustice/CCAJ_2010__FINAL_2.pdf?ver=2017-05-19-133105-073.

⁹ Statistic on file with the Legal Aid Association of California.

organizations serving rural areas face particular struggles to meet the needs of their constituents because rural organizations are funded less robustly than their urban counterparts.¹⁰ Further, organizations serving rural populations are challenged by the material distance that often separates them from their clients, as well as the inability to achieve economies of scale. Aggravating these rural access to justice challenges is the fact that the vast majority of the state’s attorneys are based in metropolitan areas.¹¹ This means too few lawyers—including civil legal aid lawyers—are in close proximity to and able to assist rural residents.¹²

The Great Recession forced many who previously owned homes into overcrowded rental markets,¹³ and nearly 17 million California residents—about 45 percent of the state’s population—are now tenants.¹⁴ Low-income Californians now find themselves in an essentially impossible housing market: A minimum wage worker in California would need to work 119 hours per week—the equivalent of *three* full-time jobs—to afford the rental cost of a two-bedroom apartment.¹⁵ The challenge of high rental costs afflicts more than minimum-wage workers: 73 percent of California jobs (some 23 million jobs) pay too poorly for workers to afford.¹⁶ Over half of California’s renter households are cost-burdened with respect to housing costs, which means they spend 30 percent or more of their income on housing; almost one third are severely cost-burdened, meaning they spend more than *half* of their income on housing.¹⁷

¹⁰ See CCAJ, CALIFORNIA’S ATTORNEY DESERTS, *supra* note 5. See also Pruitt et al., *Legal Deserts*, *supra* note 5.

¹¹ *Id.*

¹² *Id.*

¹³ Montojo et al., *supra* note 1.

¹⁴ Tenants Together, *16,908,560 Californians are tenants*, <http://www.tenants-together.org/sites/tenants-together.org/files/Tenants%20in%20California.pdf>; Montojo et al., *supra* note 1 (The number of people renting has risen about 27 percent since 2000). California also has the highest overcrowding rate—more than one person per room (excluding bathrooms and kitchens)—at nearly 14 percent). This situation is prompting migration both within and away from California. Low-income urban populations are being pushed out from city centers to suburban and exurban areas. California Department of Housing and Community Development, *Overpayment and Overcrowding* (2019), <http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/overpayment-overcrowding.shtml>. In Greater Bay Area communities like Vallejo, Antioch, Pittsburg, and elsewhere, the renter population has increased by over 40 percent. Chris Schildt, *Regional Resegregation: Reflections on Race, Class, and Power in Bay Area Suburbs 2*, URBAN HABITAT (Nov. 2017), <https://urbanhabitat.org/sites/default/files/%20UH%20Discussion%20Paper%20Nov%202017.pdf>. See also Montojo et al., *supra* note 1; California Department of Housing and Community Development, *California’s Housing Future: Challenges and Opportunities Final Statewide Housing Assessment 2025*, 28, Feb. 2018, http://www.hcd.ca.gov/policy-research/plans-reports/docs/SHA_Final_Combined.pdf; Alix Martichoux, *53 percent of Californians want to leave the state, according to new survey*, SFGATE (Feb. 13, 2019), <https://www.sfgate.com/expensive-san-francisco/article/move-out-of-bay-area-california-where-to-go-cost-13614119.php>.

¹⁵ National Low Income Housing Coalition, *Out of Reach: The High Cost of Housing* (2018) 16, https://nlihc.org/sites/default/files/oor/OOR_2018.pdf.

¹⁶ Montojo et al., *supra* note 1.

¹⁷ Sara Kimberlin & Esi Hutchful, *New Census Figures Show that California Has 7.5 Million Residents Living in Poverty—More Than Any Other State*, CALIFORNIA BUDGET AND POLICY CENTER (Sept. 2018), <https://calbudgetcenter.org/resources/new-census-figures-show-that-california-has-7-5-million-residents-living-in->

While the media often cover issues of gentrification and displacement in cities, few are aware of a parallel *rural* housing crisis.¹⁸ Rural communities are widely assumed to be less expensive than metropolitan areas, but, in fact, some of California’s rural communities feature the least affordable housing in the state and nation.¹⁹ Many rural households face threats of eviction and foreclosure as well as a high prevalence of habitability issues.²⁰

In this context, a robust system of free, high-quality legal aid is necessary to keep people housed,²¹ and legal services organizations in rural areas provide a range of services in an effort to achieve this goal. As in cities, rural legal aid lawyers represent clients facing eviction and foreclosure, as well as those dealing with ancillary issues like domestic violence, access to public benefits and healthcare, and debt relief. Indeed, housing is one of the most common issues for which California legal aid organizations provide assistance: In 2017 the State Bar of California reported that 21.6 percent of cases closed by legal aid attorneys dealt with housing, more than for any legal need.²²

High housing costs and housing instability implicate other legal issues and are particularly consequential for vulnerable populations, such as veterans and people with disabilities. When renters must spend so much of their incomes on housing, their overall economic wellbeing is undermined as they may be forced to do without other necessities such as food, healthcare, and education.²³ A rural lawyer shortage leaves many rural residents without access to a lawyer who can help them challenge their evictions or foreclosures, while also navigating the other legal issues they face. When people cannot access an attorney—whether a free legal aid lawyer

poverty-more-than-any-other-state/; Montojo et al., *supra* note 1 (since 2000, the number of cost-burdened California renters has increased by 3.4 million and now totals 9.5 million).

¹⁸ Most counties are composed of a mix of urban and rural locales, a phenomenon that is especially striking in counties that cover a great deal of territory, like Fresno and San Bernardino. California’s Medical Service Study Areas (MSSAs) concept is a useful sub-county unit for assessing this phenomenon. MSSAs are clusters of census tracts that are designated as either “urban” (75,000 to 125,000 residents), “rural” (50,000 or fewer residents), or “frontier” (fewer than 11 residents per square mile). See *Medical Service Study Areas*, STATE OF CALIFORNIA: OFFICE OF STATE HEALTH PLANNING & DEV., <https://oshpd.ca.gov/MSSA/>. For purposes of this brief, “rural” refers to both rural and frontier MSSAs.

¹⁹ See, e.g., Kathleen Ronayne, *People Priced Out of Salinas, California, Look to the Ballot*, AP (Oct. 18, 2018), <https://apnews.com/5ab03512959a42779442e7caa69d1dec>.

²⁰ THE STATE OF THE NATION’S HOUSING 2018, JOINT CENTER FOR HOUSING STUDIES OF HARVARD UNIVERSITY (JCHS), http://www.jchs.harvard.edu/sites/default/files/Harvard_JCHS_State_of_the_Nations_Housing_2018.pdf; *Many Households Burdened by Housing Costs in 2017*, JCHS (2019), <https://www.jchs.harvard.edu/son-2019-cost-burdens-map>; *California Healthy Places Index*, PUBLIC HEALTH ALLIANCE OF SOUTHERN CALIFORNIA, <https://map.healthyplacesindex.org>; *California Real Estate Trends & Market Info*, REALTYTRAC (Aug. 2019), <https://www.realtytrac.com/statsandtrends/foreclosuretrends/ca/>.

²¹ *Civil Legal Aid 101*, Department of Justice, <https://www.justice.gov/atj/civil-legal-aid-101>.

²² MAKING A DIFFERENCE: CALIFORNIA LEGAL AID, STATE BAR OF CALIFORNIA (2019), http://www.calbar.ca.gov/Portals/0/documents/accessJustice/Final_ImpactReport_1.17.19.pdf.

²³ Jeff Larrimore & Jenny Schuetz, *Assessing the Severity of Rent Burden on Low-Income Families*, FEDS Notes, BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM (Dec. 22, 2017), <https://doi.org/10.17016/2380-7172.2111>.

or a lawyer whom they pay—their meaningful participation in the justice system is impeded, and they may be effectively denied a legal resolution that could keep them housed.

This brief will describe the housing issues faced by low-income and modest-means rural Californians. It will also address related access to justice challenges. Finally, this brief will offer some policy recommendations that could provide both short-term and long-term assistance to those struggling to stay housed in rural California.

HOUSING INSTABILITY IN RURAL CALIFORNIA

As Matthew Desmond observes in his prize-winning 2016 book *Evicted*, “Eviction is a cause, not just a condition, of poverty.”²⁴ Eviction disrupts access to other basic necessities, like healthcare and education, and it can lead homelessness.²⁵ A high rent burden can mean that a slight shift in someone’s income can

quickly undermine their ability to pay rent, thus leading to the threat of eviction.²⁶ Indeed, California’s eviction problem is indelibly entangled with an affordability crisis, as detailed below. Following the section on Affordability, this brief will discuss California’s eviction process, the habitability crisis with California housing, and the state’s foreclosure trends—all with an emphasis on how these phenomena play out in rural settings.

As the only organization that provides free legal services in far northern California, the Redding office of Legal Services of Northern California (LSNC) assisted an 81-year old, low-income veteran whose mobile home park landlord tried to evict him by raising the rental cost of his space by 325 percent. Living on a fixed income, the client could not pay the drastically increased rent, and the owner started eviction proceedings. LSNC represented the client in the eviction, arguing that the park owner had unlawfully closed the park and evaded the state-mandated park closure process. The case quickly settled: The park owner dropped the eviction and provided the client with relocation benefits. If LSNC had not been there to represent this client, he would very likely have become homeless.

i. Affordability

Some 36 percent of rural California households are cost-burdened (meaning they spend upwards of 30 percent of their income on housing), while rural households nationally spend just a quarter of their income on housing.²⁷ While Los Angeles County homeowners face the

²⁴ DESMOND, *supra* note 24 at 299.

²⁵ See, e.g., David Gorn, *Some cities see eviction prevention as a way to reduce homelessness*, NPR (Sept. 26, 2018), <https://www.marketplace.org/2018/09/25/world/some-cities-see-eviction-prevention-way-reduce-homelessness>.

²⁶ Larrimore & Schuetz, *supra* note 23.

²⁷ THE STATE OF THE NATION’S HOUSING 2018, JCHS, *supra* note 20. See also Corianne Scally & Brandi Gilbert, *Rural communities need more affordable rental housing*, URBAN INSTITUTE (Oct. 2, 2018), <https://www.urban.org/urban-wire/rural-communities-need-more-affordable-rental-housing>.

highest severe housing cost-burden in the state, the next four highest severe cost-burden counties are among the California's most rural: Lake, Amador, Calaveras, and Plumas.²⁸

Furthermore, the cost burden of housing is entangled with other factors, such as the poverty rate, unemployment rate, and vacancy rates, which, in combination, complicate the efforts of rural Californians to stay housed. Rural Siskiyou County in far Northern California, for example, had a 2014 poverty rate of 23 percent (up from 19 percent in 2000), an unemployment rate of 14 percent (up from 10 percent in 2000), and a cost-burden of 30 percent; only 3 percent of units were vacant.²⁹ In the Inland Empire, Imperial County had a 2014 poverty rate of 23 percent, an unemployment rate of 18 percent, and a cost-burden of 25 percent; just 6 percent of units were vacant.³⁰

California's poverty rate is the highest in the nation when housing costs and other cost-of-living metrics are taken into account.³¹ Nearly one fifth of California residents (19 percent or 7.5 million people)³² are unable to support themselves and their families.³³ The poverty rates in California's nonmetropolitan counties are sometimes as high as—or even higher than—those in metropolitan counties.³⁴ Given these data, it should come as no surprise that rural homelessness is on the rise, in some places on an upward trajectory sharper than urban homelessness.³⁵

²⁸ PUBLIC HEALTH ALLIANCE OF SOUTHERN CALIFORNIA, *supra* note 20.

²⁹ See Scally & Gilbert, *supra* note 27. In addition, another notable point where urban and rural areas diverge is in regard to medical debt. In rural Lake County, for example, 42 percent of residents have medical debt in collections (with the median at \$1,427). In San Francisco County, on the other hand, only 16 percent of residents face medical debt in collection. In nonmetropolitan Tehama County, 39 percent of residents have medical debt in collections, while just 17 percent do in urban San Mateo. *Debt in America: An Interactive Map*, URBAN INSTITUTE (last updated May 16, 2018), <https://apps.urban.org/features/debt-interactive-map/>.

³⁰ *Id.* In rural Lake County, for example, 42 percent of residents have medical debt in collections (with the median at \$1,427). In San Francisco County, on the other hand, only 16 percent of residents face medical debt in collection. In nonmetropolitan Tehama County, 39 percent of residents have medical debt in collections, while just 17 percent do in urban San Mateo. URBAN INSTITUTE, *supra* note 29.

³¹ The Supplemental Poverty Measure (SPM) takes into account cost of living, while the Official Poverty Measure (OPM) does not. California's SPM is 20 percent and the state's OPM is 13.4 percent. The former provides a more comprehensive sense of a state's level of economic hardship by factoring in housing costs and other expenditures with a profound impact on cost of living. *Poverty in California*, PUBLIC POLICY INSTITUTE OF CALIFORNIA (PPIC) (2016), <https://www.ppic.org/publication/poverty-in-california/> (California Poverty Measure (CPM) "accounts for the cost of living and a range of family needs and resources, including social safety net benefits"); Kimberlin & Hutchful, *supra* note 17.

³² This figure is based on the Supplemental Poverty Measure (SPM), as opposed to the Official Poverty Measure (OPM) of the U.S. Census Bureau. See FN 31.

³³ Kimberlin & Hutchful, *supra* note 17 (this number is based on the Supplemental Poverty Measure (SPM)); PPIC, *supra* note 31.

³⁴ These data are based on research by Professor James Meeker tracking 2015 data ("Distribution of Rural Poverty Data 2015 (Meeker)"), which are on file with LAAC and featured in Appendix A.

³⁵ See Carolyn Jones, *Why California's Rural Areas are Seeing a Surge in Homeless Youth*, EdSOURCE (June 12, 2018), <https://edsources.org/2018/why-californias-rural-areas-are-seeing-a-surge-in-homeless-youth/598983>.

Importantly, many of California’s rural poor live not in sparsely populated non-metro counties, but rather in *rural parts* of massive metropolitan counties.³⁶ This phenomenon is especially prominent in the Central Valley, with counties like Fresno,³⁷ Tulare, and Merced.³⁸ Indeed, Fresno County, whose county seat is California’s fifth largest city, is also home to more than 10 percent of the state’s *rural* poor.³⁹ We call these counties where in excess of 5 percent of the people living at 100% of the Federal Poverty Level⁴⁰ are rural “mixed urban-rural.”⁴¹ Some counties, like Imperial, Yuba and Trinity have no “urban” poor, so we refer to these as “rural counties.”⁴² Other counties, like Orange and San Francisco, have no “rural” poor, so we refer to them as “urban counties.”⁴³

While significant numbers of rural poor live in “rural counties” like Madera (40,300), Imperial (38,935), Humboldt (30,373), and Mendocino (17,395), greater numbers of “rural” poor actually live in mixed urban-rural counties such as Fresno (89,359), Tulare (72,909), San Bernardino (55,541), Kern (55,436) and Merced (47,152).⁴⁴ Indeed, mixed urban-rural counties are home to 64.6 percent of California’s “rural” poor.⁴⁵ When thinking about the needs of rural residents, then, we must keep in mind that rural poverty occurs in both counties popularly thought of as rural—e.g., Trinity, Modoc, Humboldt—as well as in counties dominated by major cities—e.g., Fresno, Kern. In other words, one must look at data below the scale of the county to see where the majority of rural poverty is. This sub-county analysis helps us better understand the geographic complexity of rural poverty, which has implications for funding, as discussed below in “Current Policy Landscape and Recommendations.”

³⁶ Distribution of Rural Poverty Data 2015 (Meeker), *supra* note 34.

³⁷ *Id.* See Appendix A.

³⁸ *Id.*

³⁹ *Id.* Fresno County is home to 89,359 rural poor, while the state’s total rural poor population is 889,090.

⁴⁰ Distribution of Rural Poverty Data 2015 (Meeker) uses the Federal Poverty Level (FPL) standard. Elsewhere in this policy brief, we also refer to the California Poverty Measure (CPM) and the Supplemental Poverty Measure (SPM), contrasting them with the Official Poverty Measure (OPM). See FN 31.

⁴¹ See FN 164 for a more in-depth discussion.

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.* “Rural counties” were home to 260,017 rural poor, and “mixed counties” were home to 574,059 rural poor.

⁴⁵ *Id.* Nearly one-third of California’s rural poor (29.3%) live in rural counties. Mixed rural and urban counties are home to more than twice as many rural poor (64.6 %) as counties that are entirely rural. See Appendix A.

ii. Evictions are Fast and Frequent

California evictions⁴⁸ are frequent and happen fast.⁴⁹ Evictions are speedy in California primarily because so many are effected through default judgments. Defaults occur when the tenant does not file a response, within five days, to an eviction lawsuit.⁵⁰ Almost 60 percent of eviction cases reach resolution within a month of filing, and 75 percent reach resolution within 45 days.⁵¹ Because California evictions proceed so quickly, many tenants have too little time to locate and engage legal help.⁵² We do not know what percentage of California landlords are represented by legal counsel, but nationally 90 percent of landlords are represented by counsel, while just 10 percent of tenants are represented.⁵³

Eviction Rate by County ⁴⁶	
Urban Counties	Rural Counties
Los Angeles ⁴⁷ : 0.6%	Lake: 2.63%
Alameda: 0.59%	Tehama: 2.46%
San Francisco: 0.25%	Tulare: 1.46%

California Rural Legal Assistance (CRLA) assisted a woman who was experiencing domestic violence when her landlord began termination of tenancy proceedings. The abuser did not live in the home and had broken into the apartment, set a fire outside it, and stalked the tenant. Instead of working with the tenant to help protect her, the subsidized housing provider issued the notice of termination of tenancy based on the abuser's actions. CRLA is working with the tenant to prevent her eviction.

⁴⁶ See Appendix C (citing EVICTION LAB, <https://evictionlab.org/map/#/2016?geography=counties&bounds=-126.751,32.636,-109.334,39.727&type=er&locations=06047,-120.637,37.226%2B06019,-119.443,36.916>).

⁴⁷ The central purpose of these data is to demonstrate eviction rates can be higher in rural California. It is important to note that there are in excess of 10,000 evictions in Los Angeles a year, but the eviction rate remains lower than the rural places pointed to. *Id.*

⁴⁸ FAQs, EVICTION LAB, <https://evictionlab.org/help-faq/#what-is-eviction> (“An eviction happens when a landlord expels people from property he or she owns. Evictions are landlord-initiated involuntary moves that happen to renters, whereas foreclosures are involuntary moves that happen to homeowners when a bank or other lending agency repossesses a home.” In terms of the following Eviction Lab data, “an eviction is defined as an eviction judgment issued to a renting home.”).

⁴⁹ Aimee Inglis & Dean Preston, *California Evictions are Fast and Frequent*, TENANTS TOGETHER (2018), http://www.tenantstogether.org/sites/tenantstogether.org/files/CA_Evictions_are_Fast_and_Frequent.pdf

⁵⁰ *Id.*

⁵¹ *Id.*

⁵² COURT STATISTICS REPORT, JUDICIAL COUNCIL, Figure 19, <http://www.courts.ca.gov/documents/2017-Court-Statistics-Report.pdf>.

⁵³ LSC BRIEFING TO HIGHLIGHT LEGAL AID'S IMPORTANCE TO AMERICANS FACING EVICTION, LSC (Sept. 4, 2018), <https://www.lsc.gov/media-center/press-releases/2018/lsc-briefing-highlight-legal-aids-importance-americans-facing>.

On average, 160,000 renter households in California face eviction lawsuits annually.⁵⁴ The eviction crisis afflicts both rural and urban communities.⁵⁵ A full grasp of the state's eviction landscape requires us to look beyond raw numbers, to the rate of evictions. In fact, rural places sometimes have higher eviction *rates* than urban counties,⁵⁶ even if the number of rural evictions is smaller because the population is smaller.⁵⁷ For example, 593 renter households in San Francisco were evicted in 2016, an eviction rate of just 0.25 percent.⁵⁸ Lake County experienced fewer than half as many evictions as San Francisco (255), but that rural county's eviction rate was more than ten times as high, at 2.63 percent.⁵⁹ In rural Tehama County, the eviction rate was 2.46 percent, which is significantly higher than that in urban Alameda County, 0.59 percent.⁶⁰ In Southern California, the greatest numbers of evictions by far occur in Los Angeles County, which has over 10,000 evictions annually; nevertheless, its eviction rate (0.6 percent) is less than half that of Tulare County (1.46 percent), where many low-income residents live in rural areas.⁶¹

Given that most California counties cover a great deal of territory and include both rural and urban areas, it is also important to look at the sub-county level to identify high-eviction zones, like those within Fresno and San Diego counties. Rural communities like Friant (eviction rate of 4.3 percent) in Fresno County and Jacumba (3.94 percent) in rural southeast San Diego County have especially high eviction rates.⁶² The other top evicting small cities and rural areas include Vernon (Los Angeles County) at 8 percent; Lemon Hill (unincorporated Sacramento County) at 5.51 percent; and Cabazon (Riverside County) at 5.12 percent.⁶³ Those high-eviction zones in rural places is presumably a result, at least in part, of a particular dearth of legal assistance in those communities.

iii. Eviction is Not an Isolated Issue

In *Evicted*, Desmond describes “eviction’s fallout” as “[l]osing your home and possessions and often your job; being stamped with an eviction

⁵⁴ Inglis & Preston, *supra* note 49.

⁵⁵ EVICTION LAB, *supra* note 46 (It is important to point out that Eviction Lab identifies California's data as being “underestimated.” Eviction Lab states that, “in California, many cases that end in eviction are sealed and therefore not accessible by the general public. In addition, it can be difficult to collect data from California as a whole, owing to restrictions on the number of records one can collect.” While this data is helpful, it is not dispositive).

⁵⁶ *Id.* (“An eviction rate is the number of evictions per 100 renter homes in an area. An eviction rate of 5 percent means that 5 of every 100 renter homes faced eviction in the selected area that year.”).

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² Eviction Rankings, EVICTION LAB, <https://evictionlab.org/rankings/#/evictions?r=California&a=2&d=evictionRate&l=3>.

⁶³ *Id.* The next two highest—Fruitridge Pocket (4.45 percent) and East Hemet (4.43 percent)—are in Sacramento and Riverside Counties, respectively. The highest large city, by far, is Moreno Valley (4.81 percent) in Riverside.

record and denied government housing assistance; relocating to degrading housing; and suffering from increased material hardship, homelessness, depression, and illness.”⁶⁵

Access to counsel helps people understand and navigate the legal system so that they can stay housed and avoid this downward spiral, including the compounding effect of other client vulnerabilities. The elderly,⁶⁶ individuals experiencing a disability,⁶⁷ and veterans⁶⁸ are all populations residing in rural communities at higher rates than in urban communities that are particularly vulnerable. Those vulnerabilities are often aggravated in rural contexts, where sheer distance and the dearth of public transit undermine service delivery, leaving them farther from institutional supports.

Least Habitable Counties ⁶⁴
San Francisco (urban)
Trinity (rural)
Siskiyou (rural)
Inyo (rural)
Lassen (rural)
Del Norte (rural)

iv. Habitability

Even when low-income rural residents are able to avoid eviction, they may face habitability issues with respect to their housing. This issue intersects with the high cost of housing because tenants may be forced to accept sub-standard housing if they cannot afford something better. California’s implied warranty of habitability requires that landlords maintain certain basic features, such as effective weather protection, plumbing, and heating.⁶⁹

Rural legal services providers play critical roles in preserving low-income tenants’ right to live in safe, habitable housing. The CRLA Marysville office represented a senior citizen with cancer who was living in multi-tenant housing that was so infested with roaches that they dropped from her ceiling during daylight hours. The kitchen ceiling had collapsed due to a water leak in the apartment above her, and the landlord left it unrepaired and moldy for months. CRLA filed suit on her behalf and negotiated a settlement that included an agreement to bring all 60 units of housing up to acceptable standards through third-party verification.

⁶⁴ PUBLIC HEALTH ALLIANCE OF SOUTHERN CALIFORNIA, *supra* note 20.

⁶⁵ DESMOND, *supra* note 24 at 298.

⁶⁶ *Percentage Population Aged 65 and Over: 2013–2017*, CENSUS.GOV, <https://www.census.gov/content/dam/Census/library/visualizations/time-series/demo/older-population/Figure%201%20Population%20Aged%2065%20and%20Over.pdf>.

⁶⁷ *Geography and Rural Disability*, RTC: RURAL, <http://rtc.ruralinstitute.umn.edu/community-participation-independent-living/geography-and-rural-disability/>.

⁶⁸ VETERANS IN RURAL AMERICA: 2011–2015, CENSUS.GOV (2017), <https://www.census.gov/content/dam/Census/library/publications/2017/acs/acs-36.pdf>.

⁶⁹ California Civil Code §1941.1.

The California Healthy Places Index measures the percentage of households with basic plumbing and kitchen facilities, as a proxy for overall housing habitability.⁷⁰ The lowest ranked county on the index for housing habitability using this metric is urban San Francisco, but it is followed by rural Trinity, Siskiyou, Inyo, Lassen, Del Norte, and other rural counties.⁷¹

Critically, low habitability can have a much greater impact in rural areas where the housing shortage means rural residents have few housing options if they leaving an uninhabitable dwelling.⁷² Furthermore, when we cross-reference data for housing habitability simultaneously with cost-burdens for homeowners and renters, we see that, while Los Angeles is indexed as lowest in the combined metric for these phenomena, the next three counties are in far Northern California: Del Norte, Lake, and Mendocino, thus demonstrating the intersection of habitability and cost-burdens in rural regions.⁷³

v. Foreclosure

Finally, foreclosures in California hit rural areas at least as hard as urban ones, as detailed in Appendix C.⁷⁴ In Kern County, the rate is a staggering 1:1,254 people, compared to Los Angeles County, where it is a quarter of that, at 1: 9,925 people.⁷⁵ The state's lowest foreclosure rate is in wealthy Marin County, at just 1:56,303.⁷⁶ In sharp contrast, the rate in rural counties tends to be highest, including 1:1,372 in Shasta County and 1:1,391 in Madera

Foreclosure Rate by County ¹	
County	Foreclosure Rate
Kern	1:1,254
Shasta	1:1,372
Madera	1:1,391
Los Angeles	1:2,790
San Francisco	1:9,925
San Mateo	1:45,852

CRLA's Marysville office recently assisted a family of eight keep their home. The family, with five special needs children and a military veteran parent experiencing a disability, sought legal assistance against foreclosure. The parents had earlier attempted to prepay their mortgage while their income allowed them to make extra payments; they did not realize the unspecified payments would be credited to the principal but not to future interest payments. When their income decreased, they skipped several payments on the assumption that they had prepaid those sums; at that point, the mortgage company initiated foreclosure proceedings. CRLA stopped the foreclosure.

⁷⁰ PUBLIC HEALTH ALLIANCE OF SOUTHERN CALIFORNIA, *supra* note 20 ("Poor quality and unstable housing quality has been linked to asthma, injury, poisoning, depression, behavioral problems and educational delays, low birth weights, communicable disease, skipped meals and medical care, and food insecurity.").

⁷¹ *Id.*

⁷² *Id.*

⁷³ *Id.*

⁷⁴ REALTYTRAC, *supra* note 20.

⁷⁵ *Id.*

⁷⁶ *Id.*

County.⁷⁷ Disasters further exacerbate these trends.⁷⁸

HOUSING, HOMELESSNESS, AND LEGAL AID IN RURAL CALIFORNIA

Rural homelessness,⁷⁹ like its urban counterpart, is on the rise.⁸⁰ For example, since 2015, the population of individuals experiencing homelessness has grown by 122 percent in El Dorado County; in Alpine County, the increase was 128 percent; and in Butte County, 76 percent.⁸¹ This phenomenon is exacerbated by the fact that rural places facing such increases typically have less developed infrastructure and capacity than their urban counterparts to support those facing housing instability and homelessness.

Rural legal aid organizations actively work to prevent low-income Californians from becoming homeless.

These organizations, in collaboration with social services agencies, also provide critical services to homeless populations. Homeless individuals in rural counties are even more restricted in their access to legal services because most rural areas lack effective public transportation systems to connect rural residents with services. Legal aid organizations have responded to this challenge in innovative ways.

The Marysville office of California Rural Legal Assistance (CRLA), for example, has worked with local government agencies and nonprofits through involvement in the local Homeless Consortium. CRLA advocates conduct weekly intake for new clients at homeless day centers to ensure that transportation to CRLA's office in Marysville is not a barrier to obtaining legal help. Providing legal aid for housing matters is an efficient use of resources to address homelessness:

Recently, CRLA's Marysville office sued Sutter County to enjoin enforcement of anti-camping ordinances against homeless community members who have nowhere else to stay because of the lack of an area homeless shelter. Almost 1,000 homeless individuals live in Yuba and Sutter counties. More than 50 homeless individuals sought representation, and CRLA filed a lawsuit on behalf of ten community members who were elderly and experiencing homelessness and/or a disability to ensure they did not get arrested, fined, and lose their belongings just because they had no choice but to camp outside or in their cars. Under pressure from CRLA, Sutter County repealed its anti-camping ordinance and is now in the process of building a temporary homeless shelter.

⁷⁷ *Id.*

⁷⁸ Due to a lack of fire or flood insurance and the cost of re-building, low-income homeowners are at risk to lose their homes after disasters. See Diana Olick, *The mortgage industry isn't ready for a foreclosure crisis created by climate change*, CNBC (Jan. 17, 2019), <https://www.cnbc.com/2019/01/16/potential-for-foreclosure-crisis-because-of-climate-change-is-real.html>.

⁷⁹ Homelessness is defined as lacking a fixed, regular, and adequate nighttime residence. It includes both people who are unsheltered as well as people who may have temporary access to shelter. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, OFFICE OF COMMUNITY PLANNING AND DEVELOPMENT, THE 2017 ANNUAL HOMELESS ASSESSMENT REPORT (AHAR) TO CONGRESS 2, https://www.novoco.com/sites/default/files/atoms/files/hud_2017_ahar_p1_120617.pdf.

⁸⁰ Kevin Fagan, *California's Homelessness Crisis Expands to Country*, SF CHRON. (Sept. 8, 2017), <https://www.sfchronicle.com/news/article/California-s-homelessness-crisis-moves-to-the-12182026.php>.

⁸¹ *Id.*

One Massachusetts study found that every \$1 invested in legal aid housing defense services saved \$2.69 in homeless services including emergency shelters, law enforcement, and health care.⁸² CRLA has also fought the criminalization of homelessness through the efforts of multiple offices in communities it serves.

DISASTERS AND HOUSING: EXACERBATING EXISTING INEQUITY

Disasters bring to the fore issues at the intersection of housing, poverty, and various other axes of vulnerability.⁸³

Disasters can aggravate housing scarcity by destroying existing housing stock in places where housing is already in short supply. Disasters thus create additional challenges to keeping low-income and modest-means rural residents housed.⁸⁴

California's recent disasters have destroyed thousands of housing units and led to significant displacement.⁸⁵

Wildfires have hit rural areas hard, including Butte, Amador, and Shasta counties.⁸⁶ In addition, two significant earthquakes hit the high desert in Kern and Inyo Counties in July 2019.⁸⁷ Residents of these rural, economically depressed areas are still waiting—some three months later—to learn if they will qualify for FEMA aid.⁸⁸

In non-metro Petaluma, Legal Aid of Sonoma County represented three tenant families whose homes were damaged after the Petaluma River flooded and filled their houses with more than a foot of standing water. The landlord received nearly \$50,000 from FEMA to pay for repairs in the homes, but only spent \$18,805 to put cheap carpet and tile over the dilapidated wet sub-flooring. After the county issued a notice of violation for structural defects, mold, and a rat infestation, the clients withheld rent until repairs were made properly. As a result, the landlord responded by serving the clients with a 60-day notice to pay rent or leave. Legal Aid of Sonoma filed suit against the landlord for retaliation and breach of the warranty of habitability. Thanks to Legal Aid of Sonoma's advocacy, the case was resolved with the tenants receiving 9 months of free rent and a \$21,250 combined settlement.

⁸² INVESTING IN JUSTICE, BOSTON BAR ASSOCIATION, STATEWIDE TASK FORCE TO EXPAND CIVIL LEGAL AID IN MASSACHUSETTS 4 (Oct. 2014), <http://www.bostonbar.org/docs/default-document-library/statewide-task-force-to-expand-civil-legal-aid-in-ma---investing-in-justice.pdf>.

⁸³ For a more in-depth discussion of legal aid, rural communities, and disasters, see CALIFORNIA COMMISSION ON ACCESS TO JUSTICE (CCAJ), DISASTERS IN RURAL CALIFORNIA: THE IMPACT ON ACCESS TO JUSTICE (2019) <http://www.calbar.ca.gov/Portals/0/documents/accessJustice/Rural-Disaster-Policy-Brief-Final.pdf>.

⁸⁴ Liam Dillon, *How Northern California's Destructive Wildfires Could Exacerbate the State's Housing Crisis*, LA TIMES (Dec. 5, 2018), <https://www.latimes.com/politics/la-pol-ca-housing-problems-wildfires-20181205-story.html>; Diane Yentel, *Disaster housing recovery: Time for Congress to act*, THE HILL (Nov. 26, 2018), <https://thehill.com/opinion/civil-rights/418175-disaster-housing-recovery-time-for-congress-to-act>.

⁸⁵ Yentel, *supra* note 84; Jones, *supra* note 35; Dillon, *supra* note 84.

⁸⁶ CCAJ, DISASTERS IN RURAL CALIFORNIA, *supra* note 83. See also Brian K. Sullivan et al., *Wildfires in California Are Mostly Burning in Rural Areas*, INSURANCE JOURNAL (Aug. 8, 2018), <https://www.insurancejournal.com/news/west/2018/08/08/497465.htm>.

⁸⁷ Lisa Pruitt, *Rural So Cal epicenter of big California quakes*, LEGAL RURALISM (July 24, 2019) <http://legallrualism.blogspot.com/2019/07/big-california-earthquakes-epicenter-in.html>.

⁸⁸ Tim Johns, *FEMA explains when Ridgecrest earthquake aid might arrive*, BAKERSFIELD NOW (Aug. 2, 2019) <https://bakersfieldnow.com/news/local/fema-explains-when-ridgecrest-earthquake-aid-might-arrive>.

Wildfires also aggravate housing challenges in rural California. Butte County faced particular devastation from the 2018 Camp Fire, which caused \$7 billion in damage and destroyed 14,000 structures, many of them in the small city of Paradise.⁸⁹ Butte County's housing vacancy rate was extremely low before the Camp Fire, at just 2 percent.⁹⁰ The pre-existing housing shortage made it difficult for the region to absorb the tens of thousands of residents displaced by the fire.⁹¹ Similarly, the 2018 Carr Fire destroyed more than one thousand homes in Shasta and Trinity counties; the 2017 Sonoma Complex Fires (including the Tubbs Fire) destroyed more than 5,000 homes in Sonoma County;⁹² and the 2015 Butte Fire destroyed nearly 500 homes in Amador and Calaveras Counties.⁹³ These counties are all still struggling to rebuild lost housing stock.⁹⁴

Given disasters' impact on housing stock, it is not surprising that rents often rise in their wake. Santa Rosa rents rose 35 percent in the weeks following the 2017 Sonoma County wildfires, which destroyed 5 percent of the city's housing stock.⁹⁵ After 2017 saw excessive rent increases like this,⁹⁶ AB 1919 went into effect on January 1, 2019, amending California Penal Code Section 396 to further limit rental increases after a disaster results in a declared state of emergency.⁹⁷ Still, rebuilding is a slow process,⁹⁸ and 10,000 people remained displaced six months after the 2017 Sonoma wildfires.⁹⁹ Low-income residents with nowhere to go may end up in temporary housing, like FEMA trailers. Worse still, they may find themselves homeless, living in tents.¹⁰⁰

When disasters destroy California housing, displaced families can be forced into a downward spiral.¹⁰¹ One result is an increase in homeless rural youth.¹⁰² The number of homeless youth

⁸⁹ Ronayne & Melley, *supra* note 19; Andrew Sheeler, *These Three 2018 California Wildfires Caused More than \$9 billion in damage*, SAC. BEE (Dec. 12, 2018), <https://www.sacbee.com/news/politics-government/capitol-alert/article222997430.html>.

⁹⁰ Ryan Sabalow et al., *Refugee Camps for Fire Survivors? Butte County on 'edge' of Humanitarian Crisis after Camp Fire*, SAC. BEE (Nov. 14, 2018), <https://www.sacbee.com/news/state/california/fires/article221594715.html>.

⁹¹ *Id.*

⁹² *The Timeline of the Sonoma Complex Fires*, SONOMA INDEX-TRIBUNE (October 8, 2018)

<https://www.sonomanews.com/news/8813602-181/the-timeline-of-the-sonoma?sba=AAS>.

⁹³ Sarah Heise, *Crews make good progress on massive Butte, Valley fires*, KCRA (Sept. 18, 2015), <https://www.kcra.com/article/crews-make-good-progress-on-massive-butte-valley-fires/6424986>.

⁹⁴ Alan Greenblatt, *After Wildfires, Housing Crisis Complicates California's Rebuild*, GOVERNING (Apr. 2018), <https://www.governing.com/topics/transportation-infrastructure/gov-california-wildfires-homes-destroyed.html>.

⁹⁵ Gaby Del Valle, *The fires in California highlight—and worsen—the state's income divide*, VOX (Nov. 15, 2018), <https://www.vox.com/the-goods/2018/11/15/18097092/california-fires>; Lizzie Johnson & Kevin Fagan, *Signs of Life amid scars and loss: Sonoma County: Six months are the wildfires*, SF CHRON., <https://www.sfchronicle.com/bayarea/article/north-bay-wildfires-rebuilding-12804162.php>.

⁹⁶ Conor Dougherty & Adam Nagourney, *California Today: Price Gouging Complaints After Wildfires*, NY TIMES (Dec. 27, 2017), <https://www.nytimes.com/2017/12/27/us/california-today-price-gouging-complaints-after-the-wildfires.html>.

⁹⁷ Jed W. Bonner, *Update to Price Gouging Prohibitions in Disaster Zones*, THE NAT'L LAW REV. (Feb. 28, 2019), <https://www.natlawreview.com/article/update-to-price-gouging-prohibitions-disaster-zones>.

⁹⁸ Johnson & Fagan, *supra* note 95.

⁹⁹ Del Valle, *supra* note 95.

¹⁰⁰ Johnson & Fagan, *supra* note 95.

rose by 20 percent statewide from 2014 to 2016, and this rise has been even steeper in rural counties, doubling in some places.¹⁰³ Over just two years, Calaveras County saw the homeless youth population in its public schools quadruple from 4.7 percent to almost 20 percent,¹⁰⁴ with 1,124 kids overcrowding extended family or living in cars or outdoors.¹⁰⁵

In sum, disasters are aggravating the state's rural housing crisis, and low- and moderate-income Californians are especially vulnerable. Helping people stay housed and regain stability is a huge priority in the aftermath of disaster. Rural legal aid organizations are integral parts of the communities they serve, protecting the interests and rights of those who need an attorney but cannot afford one.¹⁰⁶ Their mission is particularly critical in the wake of disaster.

LEGAL AID IMPROVES OUTCOMES

Access to legal aid can have a big impact in housing matters,¹⁰⁷ including eviction defense, as evinced by data gathered pursuant to the 2009 Sargent Shriver Civil Counsel Act.¹⁰⁸ In addition to funding legal services, the Act also produced significant data that illustrate the importance of civil legal aid in the housing context. The data indicate that most people who need legal aid are experiencing multiple, intersecting vulnerabilities.

A LSNC client lived alone in subsidized senior housing in Placer County for a decade. Her stage-4 cancer impeded her ability to carry on daily activities, and one month she paid her rent a few days late. When she tried to pay what she owed, the landlord told her it was too late and that she was being evicted. The tenant tried to file an answer but did not reach the clerk's desk at the courthouse in time to do so. When the tenant returned to the courthouse the following day, the clerk's office told her it was too late to file an answer and that a default judgment had been entered against her. LSNC was able to achieve a stay of the eviction, get the default set aside, and settle the case, thus allowing the client to pay the rent in installments and stay in her home.

- The majority of clients accessing legal services were women (61 percent) and non-white (65 percent).
- About a third had a high school diploma or less.

¹⁰¹ Jones, *supra* note 35.

¹⁰² See also Matthew Morton et al., *Rural Counties Lack Services for Youth Experiencing Homelessness* (2018), CHAPIN HALL, <https://www.chapinhall.org/research/youth-homelessness-rural-america/>.

¹⁰³ Jones, *supra* note 35.

¹⁰⁴ *Id.*

¹⁰⁵ *Id.*

¹⁰⁶ CCAJ, DISASTERS IN RURAL CALIFORNIA, *supra* note 83.

¹⁰⁷ See, e.g., THE CENTER FOR COMMUNITY SOLUTIONS, SECURING STABILITY: LEGAL AID'S LASTING IMPACT (EXECUTIVE SUMMARY), <https://www.legalaidimpact.org/wp-content/uploads/2019/06/Security-Stability-Executive-Summary-061019-1.pdf> ("When they sought help specifically for a housing legal problem, such as discrimination, public housing and landlord/tenant relationships, 40 percent of people reported an increase in housing stability and 14 percent reported an increase in financial stability."). See also Jake Bittle, *NYC's Legal Assistance Program for Tenants is Saving Thousands from Eviction*, GOTHAMIST (Nov. 15, 2018), <https://gothamist.com/news/nycs-legal-assistance-program-for-tenants-is-saving-thousands-from-eviction>.

¹⁰⁸ JUDICIAL COUNCIL OF CALIFORNIA, REPORT TO THE JUDICIAL COUNCIL (2017).

- More than half had a minor at home.
- More than a third received food subsidies.
- One fourth experiencing disability.
- About one fourth had limited proficiency with English.¹⁰⁹
- The median monthly income for Shriver clients was \$980,¹¹⁰ and about three quarters were severely cost-burdened by rent (50 percent or more of income going to pay rent); only 10 percent considered their rent manageable.¹¹¹

Second, legal assistance resulted in both procedural benefits and outcomes that favored long-term housing stability.¹¹²

- Those with legal counsel were more likely to file answers to eviction notices, and they were less likely to default. In 91 percent of full representation cases,¹¹³ the client filed an answer, compared to 73 percent in cases where the tenant was unrepresented.
- The client had their case end in default in just 8 percent of full representation cases, as opposed to 26 percent in comparison cases.¹¹⁴
- Tenant access to counsel resulted in fewer trials and more settlements: Just 3 percent of unlawful detainer cases went to trial (as opposed to 14 percent of comparison cases), and 70 percent of tenants settled their cases.¹¹⁵ Not only are these outcomes better for clients, these procedural benefits reduce court backlogs, thus improving efficiency.¹¹⁶

Shriver clients also enjoyed better long-term housing stability, thus establishing that legal assistance generally helped people *stay* housed.¹¹⁷

- Just 6 percent of Shriver clients were formally evicted from their homes, and 46 percent received an adjusted move-out date, giving them more time to find new housing.¹¹⁸
- After a year, 71 percent of clients were living in a new unit, compared to 43 percent of self-represented tenants. In 65 percent of cases, Shriver tenants were granted a reduction in or waiver of back-owed rent.¹¹⁹
- Represented clients enjoyed other benefits more often than their unrepresented counterparts: The sealing of the unlawful detainer action from public record (74 percent), not having the case reported to credit agencies (53 percent), or a neutral reference from the landlord (39 percent).¹²⁰ These favorable outcomes can have

¹⁰⁹ *Id.*

¹¹⁰ *Id.*

¹¹¹ *Id.*

¹¹² JUDICIAL COUNCIL, *supra* note 108.

¹¹³ As differentiated from limited-scope services.

¹¹⁴ JUDICIAL COUNCIL, *supra* note 108.

¹¹⁵ *Id.*

¹¹⁶ *Id.*

¹¹⁷ *Id.*

¹¹⁸ *Id.*

¹¹⁹ *Id.*

¹²⁰ *Id.*

significant and long-lasting impacts because many landlords refuse to rent to someone with a formal eviction on their record.

CALIFORNIA'S RURAL ATTORNEY DESERTS: UNMET NEEDS FOR LEGAL SERVICES FOR HOUSING ISSUES AND BEYOND

The limited data we have about access to justice issues in rural places demonstrate a great need for legal services.¹²² Nationally, the vast majority (75 percent) of low-income people in rural places faced at least one civil legal issue in a year, while nearly a quarter (23 percent) dealt with six or more such issues.¹²³ Most commonly, rural people face civil issues related to health (43 percent), consumer and finance (40 percent), and employment (25 percent).¹²⁴ The majority (86 percent) of issues rural people face get inadequate legal attention or—worse still—no legal assistance at all toward a resolution.¹²⁵ Among low-income rural residents, only 22 percent even look for legal assistance for their civil legal issues.¹²⁶

Attorney Deserts ¹²¹		
<ul style="list-style-type: none"> Attorneys are more concentrated in urban areas than is the general population. 		
	Attorneys	Residents
Urban	96.11% (189.5k)	86.99% (33m)
Rural	3.72% (7,333)	12.35% (4.7m)
Frontier	0.17% (324)	0.66% (252k)
<ul style="list-style-type: none"> This is also reflected in the number of residents per attorney (RPA). California's average RPA is 193. <ul style="list-style-type: none"> Urban RPA – 175 Rural RPA – 626 Frontier RPA – 738 Highest RPA: City and County of San Francisco, 41 Lowest RPA: Kings County, 1364 Areas with high RPA tend to be high poverty. 		

One reason that rural residents rarely get the legal assistance they need is that too few attorneys live and work in rural places.¹²⁷ While about a fifth of the U.S. population resides in rural areas, just 2 percent of small law practices exist there.¹²⁸ Just over 3 percent of California's 200,000 attorneys have rural addresses.¹²⁹ Among the relatively few attorneys who practice in rural California, even fewer provide free or financially accessible services to meet the need.¹³⁰ While the ratio of attorneys to residents in urban areas is 1:175, it drops to 1:626 in rural areas (see Map 2).¹³¹ This stratification in attorney supply is even more dramatic when specific counties are considered: San Francisco County has the highest concentration of lawyers, with

¹²¹ See CCAJ, CALIFORNIA'S ATTORNEY DESERTS, *supra* note 5.

¹²² *Id.*

¹²³ LSC, *supra* note 8.

¹²⁴ *Id.*

¹²⁵ LSC, *supra* note 8.

¹²⁶ *Id.*

¹²⁷ Lisa Pruitt et al., *Legal Deserts*, *supra* note 5.

¹²⁸ Pruitt & Showman, *supra* note 8 at 469. See also CCAJ, CALIFORNIA'S ATTORNEY DESERTS, *supra* note 5.

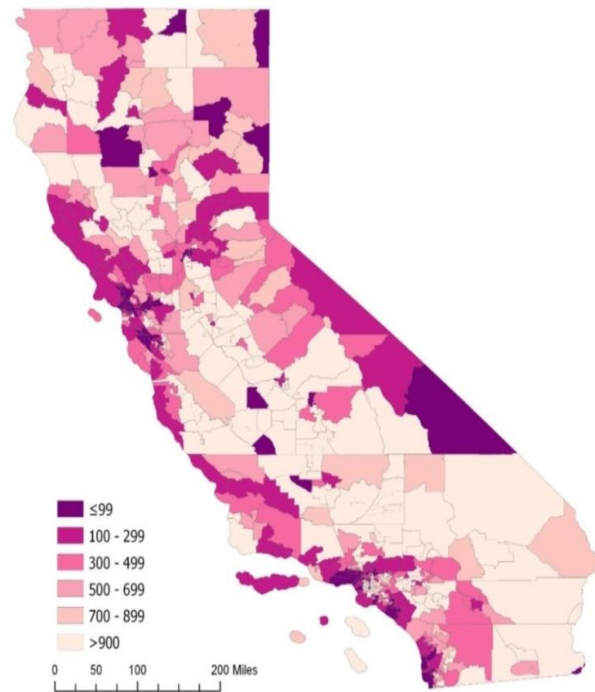
¹²⁹ Lisa Pruitt et al., *Legal Deserts*, *supra* note 5.

¹³⁰ *Id.*

¹³¹ *Id.*

an attorney for every 41 people, while Kings County has just one attorney to serve every 1,364 residents.¹³² High poverty rates in regions like the Central Valley and far northern California amplify this lack of access.¹³³ Technologies like cell service and broadband Internet, for example, could ameliorate such justice gaps, but they are available to a lesser degree than in urban areas.¹³⁴

Map 1: Residents per Attorney



¹³² *Id.*

¹³³ *Id.*

¹³⁴ See, e.g., Monica Anderson & Madhumitha Kumar, *Digital divide persists even as lower-income Americans make gains in tech adoption*, PEW RESEARCH (May 7, 2019), <https://www.pewresearch.org/fact-tank/2019/05/07/digital-divide-persists-even-as-lower-income-americans-make-gains-in-tech-adoption>. See also Michele Statz & Lisa R. Pruitt, *To Recognize the Tyranny of Distance: A Spatial Reading of Whole Woman's Health v. Hellerstedt*, 51 ENV'T & PLANNING A: ECON. & SPACE 1106 (2019); Jennifer Levitz & Valerie Bauerlein, *Rural America is Stranded in the Dial-Up Age*, WALL ST. J. (June 15, 2017), <https://www.wsj.com/articles/rural-america-is-stranded-in-the-dial-up-age-1497535841>.

Critically, legal aid resources are not evenly distributed.¹³⁵

As of 2009, legal aid organizations serving urban counties spent \$44.43 per low-income resident, while legal aid organizations serving rural counties spent just over a third of that amount, \$18.56 per low-income resident.¹³⁶

Legal aid providers serving mixed urban and rural counties—where the greatest numbers of rural poor are located¹³⁷—spent \$26.43 per low-income resident in

2009.¹³⁸ Among California's

28 rural counties, 25 were below the state average of \$21.37 per poor person in expenditures on legal services.¹³⁹

CRLA handled a case in which a landlord of USDA rural development housing was seeking to evict a low-income tenant with a disability; the stated basis for the eviction was failure to prequalify for housing. When management of the housing complex changed, the new manager incorrectly alleged that the tenant had failed to qualify for the USDA program, and they charged her market rate rent and initiated eviction proceedings. When informal negotiations with the housing provider failed, CRLA insisted on a jury trial, made discovery demands, and demonstrated willingness to go to trial. When faced with a real fight instead of an unrepresented tenant, the housing provider dismissed the case, agreed to credit the overpaid rent to future rent, and dropped the claim. Without legal assistance, the tenant would most likely be homeless.

These data demonstrate a justice gap between rural and urban California.¹⁴⁰ This gap is attributable to both the rural-urban funding gap for legal aid, as well as a shortage of lawyers in many rural areas. The most direct consequence of these deficits is that legal violations or concerns do not get expert legal attention and many Californians appear pro se before our state's courts.¹⁴¹

¹³⁵ CCAJ, IMPROVING CIVIL JUSTICE IN RURAL CALIFORNIA 11, *supra* note 8.

¹³⁶ *Id.*

¹³⁷ As noted above, most of the “rural” poor in California live in mixed counties (574,059), like Fresno, Merced, and El Dorado, compared to rural counties (260,017), like Trinity and Modoc, due to the greater populations in mixed counties. Mixed counties have 64.6 percent of the state’s rural poor. Funding schemes ought to take this fact into account.

¹³⁸ *Id.*

¹³⁹ Letter from CCAJ to LSTF Commissioners, Oct. 12, 2016 (on file with Harvard Law Library).

¹⁴⁰ The State Bar of California will be issuing a comprehensive statewide study on the justice gap in California by the end of 2019. This study was conducted using the same household panel survey model that provided data for the 2017 LSC Justice Gap study, as well as looking at turn away rates by legal services providers in California. This study also will address the differences in rural versus urban California.

¹⁴¹ See generally Robin Runge, *Addressing the Access to Justice Crisis in Rural America*, A.B.A. HUM. RTS. MAG. (2014),

https://www.americanbar.org/publications/human_rights_magazine_home/2014_vol_40/vol_40_no_3_poverty/access_justice_rural_america/; Pruitt & Showman, *supra* note 8.

Other socio-cultural consequences of the lawyer shortage may accrue.

People in rural places may not know their rights, and they may not see the challenges they face as having legal components. As a consequence, rural residents may be less likely to consider the possibility of legal solutions to their problems.¹⁴² Those without access to assistance in navigating the complex legal system may feel a general lack of agency.¹⁴³

In the aggregate, these circumstances create a crisis of access to justice. In sum, robust rural legal aid can ameliorate these problems by assisting rural residents

with housing issues, as well as with myriad other issues that impact their economic stability and overall wellbeing, from healthcare to public benefits to domestic violence.

Rural legal aid lawyers provide services at the intersection of reentry, employment, and housing, thus preventing homelessness for those formerly incarcerated. Failure to obtain housing and employment perpetuates the cycle of homelessness and results in a much greater likelihood of re-incarceration. In many instances, if the local legal services provider does not provide that service, these individuals remain burdened by their record when trying to access housing.

Through active participation in the homeless consortium, the California Rural Legal Assistance (CRLA) Marysville office provides services for clearing reentry records to clients at local homeless day centers.

Similarly, Legal Services of Northern California (LSNC) offers clean slate clinics in Shasta County.

CURRENT POLICY LANDSCAPE AND RECOMMENDATIONS

Legal protections of renters and housing go hand-in-hand with access to legal aid. As the Shriver Act data summarized above illustrate, counsel is vital to protecting the rights of homeowners and renters. Laws that protect both homeowners and renters help keep people housed. When violations to such protections occur, civil legal aid attorneys can identify the violations and seek remedies. Alleviating California's housing crisis—including in small towns and rural areas—requires both sound laws and policies, as well as meaningful and consistent access to legal services. We suggest the following reforms to better protect California's low-income and modest-means residents, with special attention to those who live in rural areas.

i. Codify Laws that Protect Rural Low-Income Renters and Homeowners

The central issue with existing law and policy is that many of the potential fixes to the housing crisis—like rent control or a right to counsel—are being put into place in urban areas, leaving rural areas with the status quo. State and local jurisdictions put in place legal protections to control rent increases and ensure that landlords have a valid reason for evicting a tenant.¹⁴⁴

¹⁴² LSC, *supra* note 8; REBECCA SANDEFUR, ACCESSING JUSTICE IN THE CONTEMPORARY USA: FINDINGS FROM THE COMMUNITY NEEDS AND SERVICES STUDY (2014), https://www.srln.org/system/files/attachments/sandefur_accessing_justice_in_the_contemporary_usa._aug._2014.pdf.

¹⁴³ Lisa Pruitt et al., *Legal Deserts*, *supra* note 5.

¹⁴⁴ Overall, relatively few California municipalities have rent control laws, and those that do tend to be major cities like San Francisco, Oakland, and Los Angeles. Smaller cities with rent control policies tend to be in the Bay Area,

One critical protection is rent control, which generally limits how much a landlord can raise rent while a tenant is in a rental unit.¹⁴⁵ Another protection would be to require just cause evictions, which means that a landlord must have a legitimate reason (like failure to pay rent) to evict a tenant.¹⁴⁶ The problem for rural residents is that these protections are typically available only in municipalities, not rural areas.¹⁴⁷ Indeed, less than 1 percent of California's cities have a rent control policy.¹⁴⁸ The answer could be statewide policy changes. Governor Newsom signed into law a statewide rent cap in September 2019, which could impact rural areas of the state that do not have their own local laws.¹⁴⁹

Additionally, while it has been somewhat effective,¹⁵⁰ the "right to counsel" movement has largely impacted urban areas. One place-specific law protects tenants by ensuring access to an attorney, akin to a public defender but in civil housing cases. San Francisco's Proposition F, which provides a free eviction defense attorney to any city resident, is an example of a law that ensures each person who is being kicked out of their home has a fair chance at fighting the eviction through the legal system.¹⁵¹ But, this law is one-of-a-kind; in California, it applies only in San Francisco. Though Los Angeles does not have such a law, it has taken extraordinary steps to protect renters, having spent almost \$9 million in 2018 on a combination of counseling and

e.g., Fremont, Hayward, and Berkeley, and greater Los Angeles area, e.g., West Hollywood and Santa Monica. Eric Escalante, *5 rent-controlled cities in California*, ABC (Sept. 5, 2018), <https://www.abc10.com/article/news/local/5-rent-controlled-cities-in-california/103-591256565>; Kacey Gardner, *Rent Control is Coming to California's November Ballot. Here's What's at Stake*, CAPITAL PUBLIC RADIO (June 20, 2018), <http://www.caprдио.org/articles/2018/06/20/rent-control-is-coming-to-californias-november-ballot-heres-whats-at-stake/>. Proposition 10, which would have ended rent control limits across the state, was rejected by voters in 2018. Liam Dillon, *Voters Reject Proposition 10, Halting Effort to Expand Rent Control Across the State*, LA TIMES (Nov. 6, 2018), <https://www.latimes.com/politics/la-pol-ca-proposition-10-rent-control-20181106-story.html>. Just Causes for Eviction, San Francisco Tenants Union, <https://www.sftu.org/justcauses/>.

¹⁴⁵ Karim Doumar, *Rent Control is Gaining Steam in California*, CITYLAB (July 26, 2018), <https://www.citylab.com/life/2018/07/rent-control-is-gaining-steam-in-california/565856/>.

¹⁴⁶ Gardner, *supra* note 144.

¹⁴⁷ *Tenant Protections*, ANTI-EVICTION MAPPING PROJECT, <http://antievictionmap.maps.arcgis.com/apps/MapSeries/index.html?appid=9648a716c1514755b7e633837610dc> b5.

¹⁴⁸ Only 20 out of 482 cities in California have rent control. *Id.*

¹⁴⁹ Conor Dougherty & Luis Ferré-Sadurní, *California Approves Statewide Rent Control to Ease Housing Crisis*, NY TIMES (Sept. 11, 2019), https://www.nytimes.com/2019/09/11/business/economy/california-rent-control.html?te=1&nl=morning-briefing&emc=edit_NN_p_20190912§ion=whatElse?campaign_id=9&instance_id=12323&segment_id=16950&user_id=9254232a2e8248bbb7ff6bc83498cc8c®i_id=96968468ion=whatElse.

¹⁵⁰ In regard to New York City's tenant legal services program, evictions have gone down by 27 percent since 2013. In 2018 alone, evictions went down 5 percent. Office of Civil Justice New York City Human Resources Administration. (2018), *Universal Access to Legal Services A Report on Year One of Implementation in New York City*, New York City Human Resources, <https://www1.nyc.gov/assets/hra/downloads/>.

¹⁵¹ Adam Brinklow, *SF Voters Guarantee Lawyers for Evicted Tenants*, SF CURBED (June 7, 2018), <https://sf.curbed.com/2018/6/7/17437548/san-francisco-prop-election-eviction-lawyer>.

legal and financial assistance for city residents facing eviction.¹⁵² These sorts of renter protections are not available in rural areas.

Finally, legal aid offices do more than provide direct services in rural areas—they advocate for housing reform on the local level. For example, the Public Interest Law Project (PILP) worked with legal aid partners such as Legal Services of Northern California (LSNC) and Central California Legal Services (CCLS) to advocate the adoption of so-called “housing elements,”¹⁵³ including implementation of programs like “upzoning,” the rezoning of an area to permit residential and higher density use.¹⁵⁴ LSNC and CCLS advocacy has resulted in the designation of sites for affordable housing development in parts of Shasta and Fresno counties, respectively, as well as the adoption of a mobile home preservation ordinance in Shasta County.¹⁵⁵

ii. Fund Legal Aid Robustly, and in a Geographically Equitable Fashion

The California Commission on Access to Justice (CCAJ) has been on the vanguard of raising awareness about rural barriers to legal assistance. CCAJ has, for example, advocated for building a legal aid system that ensures services reach rural Californians. In 2010, the Commission released *Improving Civil Justice in Rural California*, an in-depth look at the needs of rural communities for legal services, which contended that distribution of legal aid funding must be made more geographically equitable.¹⁵⁶ The report spoke to the great need for legal services in rural places, as well as shortcomings in the current funding distribution schemes. The current funding formula leaves legal aid providers serving rural parts of the state without sufficient resources to meet the high cost of serving residents who are not concentrated in population clusters and who have less access to technology¹⁵⁷ than their urban counterparts. These deficits leave low-income rural Californians unable to get meaningful redress for the array of issues they face, including housing and the myriad other issues often associated with threats to housing stability, e.g., access to medical care and public benefits, domestic violence.¹⁵⁸

The 2010 report called for a number of solutions that are still highly relevant, most notably: (1) geographic equity in access to justice; (2) increased rural funding that does not diminish urban

¹⁵² Teresa Wiltz, *How Free Legal Help Can Prevent Evictions*, PEW (Oct. 27, 2017), <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2017/10/27/how-free-legal-help-can-prevent-evictions>.

¹⁵³ “Housing elements” refers to the fact that “local governments must adopt plans and regulatory systems that provide opportunities for (and do not unduly constrain). . . housing development. As a result, housing policy in California rests largely on the effective implementation of local general plans and, in particular, local housing elements.” See, e.g., *Regional Housing Needs Allocation and Housing Elements*, CA Dept. of Housing and Community Development.

¹⁵⁴ See Sarah Holder & Kriston Capps, *The Push for Denser Zoning is Here to Stay*, CITYLAB (May 21, 2019) <https://www.citylab.com/equity/2019/05/residential-zoning-affordable-housing-upzoning-real-estate/588310/>.

¹⁵⁵ Email (July 11, 2019) with Executive Director of the Public Interest Law Project (PILP) on file with the Legal Aid Association of California (LAAC).

¹⁵⁶ CCAJ, *IMPROVING CIVIL JUSTICE IN RURAL CALIFORNIA*, *supra* note 8.

¹⁵⁷ See, e.g., Anderson & Kumar, *supra* note 134.

¹⁵⁸ *Id.*

resources for rural legal aid; and (3) creating minimum access guidelines defining the baseline for funding.¹⁵⁹ Other recommendations included using technology to bridge the urban/rural divide, utilizing pro bono to provide services in rural places, and convening rural access task forces.¹⁶⁰ In short, many of the same issues present now were also present when that report was published nearly a decade ago; many of the solutions proposed in 2010 remain highly relevant, too. Thus, in a 2016 letter to the Legal Services Trust Fund Commission of the State Bar of California, the CCAJ advocated for a shift in funding streams to ensure that rural communities receive what they need to better serve more people,¹⁶¹ consistent with the 2010 call for increased funding to legal aid organizations serving rural areas.

In alignment with the CCAJ's prior recommendations, we continue to support a number of strategies for strengthening the legal aid delivery system while making its funding more geographically equitable. First, ensuring funding schemes maximize the ability of rural organizations to serve rural constituencies would promote stabilization and housing security for low-income individuals and families across the state's rural regions. Such a funding stream would ensure—on a per capita basis—that rural residents have access to legal services funded on par with urban residents.

This would mean earmarking new funds for rural projects because urban Californians already get the benefit of additional funding streams, due largely to their proximity to private philanthropy, law firms, and individual donors. Funding allocations ought to be per capita because people access services individually. Two funding streams, the Interest on Lawyers Trust Account (IOLTA) grants and the Equal Access Fund (EAF) grants, both created by the Legislature and distributed by the State Bar's Legal Services Trust Fund Commission, are allocated on the basis of such a formula: An amount is allocated to the county of residence of every person living at 125 percent of poverty or lower. Those county-level funds are then further divided among organizations providing legal services within that county.

Many legal aid leaders and the California Commission on Access to Justice advocate for increasing IOLTA and EAF funding because those funding streams inure to the benefit of all Californians, both rural and urban.¹⁶² Increasing funding and distributing funding in a more geographically equitable way need not mean a decrease in funding for urban or suburban civil legal aid; rather, it means building a more equitable system with greater resources overall to do legal aid work across the state and finding those new funding sources to bridge the urban rural divide. The California Commission on Access to Justice (CCAJ), through its Rural Task Force, has consistently advocated for prioritizing rural organizations when discretionary funds are available. Notably, in his May 2019 Revised Budget, Governor Newsom included \$20 million in new funding for homelessness prevention work, in addition to ongoing EAF grants.¹⁶³ 25

¹⁵⁹ *Id.*

¹⁶⁰ CCAJ, IMPROVING CIVIL JUSTICE IN RURAL CALIFORNIA 11, *supra* note 8.

¹⁶¹ Letter from CCATJ to LSTF Commissioners, Oct. 12, 2016 (on file with Harvard Law Library).

¹⁶² See Distribution of Rural Poverty Data 2015 (Meeker), *supra* note 34 and Appendix A.

¹⁶³ Budget Act of 2019, AB 74, Provision 6(b), https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB74.

percent of that funding is earmarked for competitive grants, for which “preference shall be given to qualified legal aid agencies that serve rural or underserved communities and that serve clients regardless of immigration or citizenship status.”¹⁶⁴ The August 2019 announcement that Governor Newsom will be directing \$331 million into housing-related legal aid represents an opportunity as well, for both urban and rural efforts to increase funding.¹⁶⁵

In sum, we need a funding stream that ensures, on a per capita basis, that each rural resident has access to legal services funded on par with services available to urban residents. A blanket amount of funding per county fails to take into account how many resources are allocated for each person. Increased funding and more geographically equitable allocation of funding need not decrease funding for urban or suburban civil legal aid. Instead, it means building a more equitable and robustly funded system equipped to deliver adequate legal aid to all Californians, wherever they reside.

CONCLUSION

In *Evicted*, Matthew Desmond contends that legal aid is an incredibly important socio-legal element in the fight against unjust and unnecessary evictions, particularly given the fact that so often landlords are represented and tenants are not.¹⁶⁶ Desmond argues that one solution is the creation of “publicly funded legal services for low-income families in housing court,” as a “cost-effective measure that would prevent homelessness, decrease evictions, and give poor families a fair shake.”¹⁶⁷ In the context of the housing crisis, access to a free lawyer is ever-more important to low-income Californians. Access to safe, affordable housing is not an isolated issue; rather, it is foundational to fighting socioeconomic inequality across the state, in rural places as well as urban ones.

California must promulgate housing policies that recognize the needs of all types of communities, urban, suburban, *and* rural. Statewide rent control laws that protect rural renters as well as metropolitan ones are critical. Increased legal aid funding that is more equitably distributed to ensure rural needs are met is similarly imperative. The need for services is tremendous. Civil legal aid is an essential element of any strategy for fighting poverty and building an equitable California for all. Now is the time to ensure the state’s legal aid organizations have the resources they need to meet the legal needs of low-income rural Californians. Doing so will pay dividends in years to come, not least because investments in legal aid will keep both rural and urban Californians housed and counter the trend toward homelessness.

¹⁶⁴ *Id.*

¹⁶⁵ Alexei Koseff, *Newsom puts \$331 million from settlement into legal aid for housing*, S.F. CHRON. (Aug. 7, 2019), <https://www.sfchronicle.com/politics/article/Newsom-puts-331-million-from-settlement-into-14287926.php?psid=hEKzF>.

¹⁶⁶ DESMOND, *supra* note 24 at 303.

¹⁶⁷ *Id.*

Appendix A¹⁶⁸:

County	Rural 100% Poverty Level	% Rural Poor	Urban 100% Poverty Level	%Urban Poor	Rural 200% Poverty	Urban 200% Poverty
RURAL						
Alpine	179	100%	0	0%	413	0
Amador	599	100%	0	0%	1,533	0
Calaveras	5,352	100%	0	0%	12,278	0
Colusa	3,068	100%	0	0%	9,292	0
Del Norte	5,468	100%	0	0%	11,030	0
Glenn	5,517	100%	0	0%	12,705	0
Humboldt	30,373	100%	0	0%	63,257	0
Imperial	38,935	100%	0	0%	85,889	0
Inyo	2,445	100%	0	0%	5,849	0
Lake	15,395	100%	0	0%	31,126	0
Lassen	3,741	100%	0	0%	7,133	0
Madera	40,300	100%	0	0%	89,663	0
Mariposa	2,902	100%	0	0%	6,020	0
Mendocino	17,395	100%	0	0%	38,908	0
Modoc	1,892	100%	0	0%	3,940	0
Mono	704	100%	0	0%	4,684	0
Nevada	12,163	100%	0	0%	28,331	0
Plumas	3,006	100%	0	0%	7,139	0
San Benito	6,864	100%	0	0%	18,017	0
Sierra	487	100%	0	0%	962	0
Siskiyou	9,945	100%	0	0%	20,439	0
Sutter	15,824	100%	0	0%	40,408	0
Tehama	11,604	100%	0	0%	28,532	0
Trinity	2,489	100%	0	0%	5,643	0
Tuolumne	7,444	100%	0	0%	18,028	0
Yuba	15,926	100%	0	0%	34,336	0
Total Rural	260,017		0		317,242	
Total Rural %	29.3%					

¹⁶⁸ Distribution of Rural Poverty Data 2015 (Meeker), *supra* note 34. Rural is defined as 100% of individuals at 100% of Federal Poverty Level are rural; mixed is defined as ranging from less than 100% of individuals at 100% of FPL are rural up to less than 95% of individuals at 100% of FPL are urban (5.1% or greater rural); and urban is defined as 95% or greater of individuals at 100% of FPL are urban (5% or less rural).

County	Rural 100% Poverty Level	% Rural Poor	Urban 100% Poverty Level	%Urban Poor	Rural 200% Poverty	Urban 200% Poverty
MIXED						
Butte	16,817	42.4%	22,816	57.6%	36,266	42,926
Contra Costa	6,603	5.5%	114,171	94.5%	12,387	265,705
El Dorado	14,018	75.8%	4,479	24.2%	33,823	10,560
Fresno	89,359	35%	165,660	65%	172,861	301,563
Kern	55,436	28.6%	138,166	71.4%	120,097	277,796
Kings	10,140	33.5%	20,104	66.5%	19,685	45,814
Marin	1,214	5.5%	20,703	94.5%	3,636	45,610
Merced	47,152	71.9%	18,400	28.10%	103,607	34,552
Monterey	28,228	40.4%	41,670	59.6%	68,552	101,855
Napa	4,474	32.1%	9,474	67.9%	12,161	25,960
Placer	4,719	14.7%	27,299	85.3%	12,878	65,775
San Bernardino	55,541	14.3%	333,496	85.7%	117,209	741,444
San Joaquin	15,414	11.6%	117,572	88.4%	36,179	253,350
San Luis Obispo	33,997	89.20%	4,124	10.8%	73,903	9,240
Santa Barbara	15,531	22.50%	53,422	77.5%	37,334	118,929
Santa Clara	14,417	8%	165,736	92%	32,263	389,904
Santa Cruz	4,605	11.7%	34,647	88.3%	11,116	72,129
Shasta	14,438	45.7%	17,178	54.3%	32,959	39,328
Solano	6,046	11.3%	47,271	88.7%	14,756	100,657
Sonoma	10,340	17.3%	49,376	82.7%	24,388	119,074
Stanislaus	35,105	33.5%	69,681	66.5%	79,636	148,718
Tulare	72,909	59.7%	49,135	40.3%	144,559	101,191
Ventura	17,556	19.1%	74,356	80.9%	38,187	194,366
Total Mixed	574,059		1,598,936			
Total Mixed %	64.6%					
URBAN						
Alameda	1979	1.0%	195,212	99%	5,175	424,639
Los Angeles	21,335	1.2%	1,784,327	98.8%	49,492	3,964,603
Orange	0	0.0%	391,705	100%	0	911,860
Riverside	13,284	3.5%	363,453	96.5%	26,751	848,300
Sacramento	1,925	0.8%	249,503	99.2%	4,770	525,945
San Diego	12,982	2.8%	442,873	97.2%	32,659	993,727
San Francisco	0	0.0%	108,328	100%	0	230,442
San Mateo	1,660	3.0%	54,012	97%	5,165	144,464
Yolo	1,849	4.7%	37,484	95.3%	6,320	70,732
Total Urban	55,014		3,626,897			
Total Urban %	6.2%					

Appendix B¹⁶⁹: Cost-burden of Housing for Households Generally

Rural County	Metro Area	Share of Households with Cost Burdens	Share of Households with Severe Cost Burdens	# of Households with Cost Burdens	Median Household Income	Median Monthly Housing Costs
Alameda	San Francisco-Oakland- Hayward	37%	18%	622,130	\$100,000	\$2,060
Alpine						
Amador						
Butte	Chico	40%	17%	35,193	\$47,400	\$971
Calaveras						
Colusa						
Contra Costa	San Francisco-Oakland- Hayward	37%	18%	622,130	\$100,000	\$2,060
Del Norte	Crescent City	32%	14%	3,315	\$47,200	\$790
El Dorado	Sacramento-Roseville-Arden Acarde	39%	18%	322,641	\$68,000	\$1,406
Fresno	Fresno	38%	20%	115,614	\$51,400	\$1,060
Glenn						
Humboldt	Eureka-Arcata -Fortuna	43%	22%	23,204	\$44,800	\$940
Imperial	El Centro	37%	19%	16,310	\$48,700	\$980
Inyo						
Kern	Bakersfield	40%	19%	106,942	\$48,000	\$1,019
Kings	Hanford-Corcoran	34%	14%	14,468	\$56,000	\$1,010
Lake	Clearlake	39%	21%	9,979	\$51,000	\$1,010
Lassen	Susanville	32%	14%	4,052	\$47,200	\$790
Los Angeles	Los Angeles- Long Beach- Anaheim	46%	24%	1,998,052	\$69,300	\$1,635
Madera	Madera	43%	23%	20,117	\$49,000	\$1,064
Marin	San Francisco-Oakland- Hayward	37%	18%	622,130	\$100,000	\$2,060
Mariposa						
Mendocino	Ukiah	39%	21%	13,557	\$51,900	\$1,010
Merced	Merced	41%	19%	33,257	\$47,000	\$1,030
Modoc						
Mono						
Monterey	Salinas	43%	20%	54,677	\$72,000	\$1,620

¹⁶⁹ Many Households Burdened by Housing Costs in 2017, JCHS *supra* note 20.

Rural County	Metro Area	Share of Households with Cost Burdens	Share of Households with Severe Cost Burdens	# of Households with Cost Burdens	Median Household Income	Median Monthly Housing Costs
Napa	Napa	34%	13%	16,072	\$85,000	\$1,820
Nevada	Truckee-Grass Valley	42%	19%	17,634	\$60,000	\$1,445
Orange	Los Angeles- Long Beach- Anaheim	46%	24%	1,998,052	\$69,300	\$1,635
Placer	Sacramento- Roseville-Arden Acarde	39%	18%	322,641	\$68,000	\$1,406
Plumas						
Riverside	Riverside- San Bernardino- Ontario	42%	20%	559,068	\$61,300	\$1,387
Sacramento	Sacramento- Roseville-Arden Acarde	39%	18%	322,641	\$68,000	\$1,406
San Benito	San Jose- Sunnyvale- Santa Clara	36%	17%	231,215	\$116,400	\$2,317
San Bernardino	Riverside- San Bernardino- Ontario	42%	20%	559,068	\$61,300	\$1,387
San Diego	San Diego-Carlsbad	43%	20%	479,691	\$75,000	\$1,752
San Francisco	San Francisco- Oakland- Hayward	37%	18%	622,130	\$100,000	\$2,060
San Joaquin	Stockton-Lodi	40%	20%	89,988	\$60,000	\$1,292
San Luis Obispo	San Luis Obispo- Paso Robles- Arroyo Grande	41%	21%	42,373	\$70,000	\$1,550
San Mateo	San Francisco- Oakland- Hayward	37%	18%	622,130	\$100,000	\$2,060
Santa Barbara	Santa Maria- Santa Barbara	42%	21%	61,864	\$71,000	\$1,645
Santa Clara	San Jose- Sunnyvale- Santa Clara	36%	17%	231,215	\$116,400	\$2,317
Santa Cruz	Santa Cruz- Watsonville	41%	21%	38,979	\$78,000	\$1,804
Shasta	Redding	38%	19%	27,613	\$52,000	\$1,010
Sierra						

Rural County	Metro Area	Share of Households with Cost Burdens	Share of Households with Severe Cost Burdens	# of Households with Cost Burdens	Median Household Income	Median Monthly Housing Costs
Siskiyou						
Solano	Vallejo-Fairfield	40%	17%	60,223	\$77,200	\$1,710
Sonoma	Santa Rosa	41%	18%	77,395	\$79,500	\$1,700
Stanislaus	Modesto	37%	17%	64,354	\$56,000	\$1,190
Sutter	Yuba City	34%	15%	20,049	\$59,500	\$1,095
Tehama	Red Bluff	37%	18%	8,776	\$43,000	\$850
Trinity						
Tulare	Visalia-Porterville	42%	22%	58,111	\$45,000	\$968
Tuolumne	Sonora	34%	18%	7,502	\$56,000	\$1,130
Ventura	Oxnard- Thousand Oaks- Ventura	42%	19%	115,565	\$82,000	\$1,845
Yolo	Sacramento- Roseville-Arden Acarde	39%	18%	322,641	\$68,000	\$1,406
Yuba	Yuba City	34%	15%	20,049	\$59,500	\$1,095

Appendix B¹⁷⁰: Cost-burden of Housing for Renters

Rural County	Metro Area	Share of Renter Households with Cost Burdens	Share of Renter Households with Severe Cost Burdens	# of Renter Households with Cost Burdens	Median Renter Household Income	Median Renter Monthly Housing Costs
Alameda	San Francisco-Oakland- Hayward	45%	24%	347,785	\$73,150	\$1,860
Alpine						
Amador						
Butte	Chico	52%	25%	19,505	\$37,000	\$1,000
Calaveras						
Colusa						
Contra Costa	San Francisco-Oakland- Hayward	45%	24%	347,785	\$73,150	\$1,860
Del Norte	Crescent City	44%	22%	1,543	\$30,000	\$800
El Dorado	Sacramento-Roseville-Arden Acarde	53%	28%	174,448	\$44,300	\$1,260
Fresno	Fresno	52%	29%	75,014	\$34,000	\$950
Glenn						
Humboldt	Eureka-Arcata -Fortuna	57%	28%	12,839	\$28,400	\$860
Imperial	El Centro	50%	28%	8,527	\$26,600	\$850
Inyo						
Kern	Bakersfield	53%	27%	59,149	\$34,900	\$958
Kings	Hanford-Corcoran	47%	19%	8,920	\$32,000	\$860
Lake	Clearlake	46%	24%	3,856	\$40,400	\$1,023
Lassen	Susanville	44%	22%	1,886	\$30,000	\$800
Los Angeles	Los Angeles- Long Beach- Anaheim	57%	31%	1,266,992	\$49,540	\$1,480
Madera	Madera	59%	35%	8,994	\$30,200	\$977
Marin	San Francisco-Oakland- Hayward	45%	24%	347,785	\$73,150	\$1,860
Mariposa						
Mendocino	Ukiah	46%	24%	5,239	\$40,400	\$1,023
Merced	Merced	52%	27%	21,626	\$36,000	\$990
Modoc						

¹⁷⁰ *Id.*

Rural County	Metro Area	Share of Renter Households with Cost Burdens	Share of Renter Households with Severe Cost Burdens	# of Renter Households with Cost Burdens	Median Renter Household Income	Median Renter Monthly Housing Costs
Mono						
Monterey	Salinas	51%	27%	30,725	\$55,000	\$1,490
Napa	Napa	48%	21%	7,562	\$63,400	\$1,820
Nevada	Truckee-Grass Valley	59%	26%	5,622	\$35,200	\$1,130
Orange	Los Angeles- Long Beach- Anaheim	57%	31%	1,266,992	\$49,540	\$1,480
Placer	Sacramento- Roseville-Arden Acarde	53%	28%	174,448	\$44,300	\$1,260
Plumas						
Riverside	Riverside- San Bernardino- Ontario	57%	30%	280,634	\$41,500	\$1,280
Sacramento	Sacramento- Roseville-Arden Acarde	53%	28%	174,448	\$44,300	\$1,260
San Benito	San Jose- Sunnyvale- Santa Clara	45%	23%	126,879	\$87,600	\$2,190
San Bernardino	Riverside- San Bernardino- Ontario	57%	30%	280,634	\$41,500	\$1,280
San Diego	San Diego- Carlsbad	56%	29%	291,253	\$53,000	\$1,590
San Francisco	San Francisco- Oakland- Hayward	45%	24%	347,785	\$73,150	\$1,860
San Joaquin	Stockton-Lodi	57%	30%	55,773	\$39,000	\$1,150
San Luis Obispo	San Luis Obispo- Paso Robles- Arroyo Grande	53%	31%	22,072	\$50,000	\$1,415
San Mateo	San Francisco- Oakland- Hayward	45%	24%	347,785	\$73,150	\$1,860
Santa Barbara	Santa Maria- Santa Barbara	56%	28%	39,726	\$54,200	\$1,624

Rural County	Metro Area	Share of Renter Households with Cost Burdens	Share of Renter Households with Severe Cost Burdens	# of Renter Households with Cost Burdens	Median Renter Household Income	Median Renter Monthly Housing Costs
Santa Clara	San Jose- Sunnyvale- Santa Clara	45%	23%	126,879	\$87,600	\$2,190
Santa Cruz	Santa Cruz- Watsonville	56%	33%	20,432	\$49,000	\$1,630
Shasta	Redding	54%	30%	13,578	\$34,000	\$950
Sierra						
Siskiyou						
Solano	Vallejo-Fairfield	54%	26%	33,669	\$55,000	\$1,600
Sonoma	Santa Rosa	54%	26%	39,511	\$55,000	\$1,600
Stanislaus	Modesto	48%	23%	36,157	\$40,000	\$1,122
Sutter	Yuba City	49%	23%	11,313	\$37,300	\$990
Tehama	Red Bluff	54%	27%	5,031	\$27,900	\$850
Trinity						
Tulare	Visalia-Porterville	56%	29%	34,895	\$30,800	\$908
Tuolumne	Sonora	48%	24%	2,758	\$41,600	\$1,040
Ventura	Oxnard- Thousand Oaks- Ventura	57%	28%	58,071	\$57,500	\$1,740
Yolo	Sacramento- Roseville-Arden Acarde	53%	28%	174,448	\$44,300	\$1,260
Yuba	Yuba City	49%	23%	11,313	\$37,300	\$990

Appendix C: Eviction Rate¹⁷¹ and Foreclosure Rate¹⁷²

County	Eviction Rate	Foreclosure Rate
Alameda	0.59% (1,640)	1:4,006
Amador	Unavailable	1:6,086
Alpine	0.0% (0)	Unavailable
Butte	Unavailable	1:32,706
Calaveras	0.76% (35)	1:2,561
Colusa	0.81% (24)	1:7,990
Contra Costa	0.45% (611)	1:2,692
Del Norte	Unavailable	1:11,364
Modoc	Unavailable	1:2,625
El Dorado	0.8% (165)	1:2,289
Fresno	2.16% (3,036)	1:2,347
Glenn	1.34% (53)	1:2,741
Humboldt	Unavailable	1:2,721
Imperial	Unavailable	1:11,440
Inyo	0.03% (1)	1:9,526
Kern	Unavailable	1:1,254
Kings	1.47% (294)	1:2,268
Lake	2.63% (255)	1:2,103
Lassen	1.91% (69)	1:2,125
Los Angeles	0.58% (10,462)	1:2,790
Madera	1.17% (197)	1:1,391
Marin	Unavailable	1:56,303
Mariposa	0.0% (0)	1:3,459
Mendocino	0.54% (81)	1:5,386
Merced	1.79% (657)	1:2,640
Mono	0.0% (0)	1:2,808
Monterey	0.62% (399)	1:35,137
Napa	0.42% (81)	1:3,697
Nevada	Unavailable	1:8,899

¹⁷¹ EVICTION LAB, *supra* note 46. As defined by the Eviction lab: “An eviction rate is the number of evictions per 100 renter homes in an area. An eviction rate of 5% means that 5 of every 100 renter homes faced eviction in the selected area that year.” EVICTION LAB, *supra* note 48.

¹⁷² REALTYTRAC *supra* note 20.

County	Eviction Rate	Foreclosure Rate
Orange	0.68% (2,963)	1:4,765
Placer	0.63% (271)	1:2,801
Plumas	0.17% (5)	1:1,574
Riverside	2.35% (5,864)	1:1,624
Sacramento	2.37% (5,570)	1:2,122
San Benito	0.93% (60)	1:18,328
San Bernardino	Unavailable	1:1,531
San Francisco	0.25% (593)	1:9,295
San Joaquin	Unavailable	1:9,202
San Luis Obispo	Unavailable	1:20,030
San Diego	0.67% (3,579)	1:2,960
San Mateo	0.36% (408)	1:45,852
Santa Barbara	Unavailable	1:3,530
Santa Clara	0.31% (869)	1:7,080
Santa Cruz	0.36% (154)	1:17,598
Shasta	1.4% (374)	1:1,372
Sierra	0.0% (0)	Unavailable
Siskiyou	Unavailable	1:1,415
Solano	1.87% (1,061)	1:7,427
Sonoma	Unavailable	1:29,701
Stanislaus	Unavailable	1:1,689
Sutter	Unavailable	1:2,850
Tehama	2.46% (219)	1:4,560
Trinity	1.36% (25)	1:8,814
Tulare	1.46% (860)	1:1,544
Tuolumne	Unavailable	1:7,858
Ventura	Unavailable	1:3,250
Yolo	0.68% (243)	1:25,369
Yuba	Unavailable	1:1,764