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## ***Working With Them: Small-Scale Landlord Strategies for Avoiding Evictions***

John Balzarini<sup>a</sup> and Melody L. Boyd<sup>b</sup>

<sup>a</sup>Department of Sociology & Criminal Justice, Delaware State University, Dover, USA; <sup>b</sup>Department of Sociology, SUNY, Brockport, NY, USA

### **ABSTRACT**

This study draws on 71 indepth, semistructured interviews with landlords and property managers in Philadelphia, Pennsylvania. We find that the perceived burdens associated with evictions often make evictions less desirable for small-scale landlords than finding ways to work with tenants to keep them in their homes, including developing payment plans to help tenants catch up on back rent, adjusting rental rates, accepting services in lieu of rent, and aiding in referrals to housing and social service programs. Some landlords employ a technique of paying tenants to vacate, a practice referred to as cash for keys, which is an informal, off-the-books eviction. Our findings suggest that off-the-books evictions are far more prevalent than has been measured in official eviction data; therefore, the prevalence of residential displacement is more severe than previously documented.

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The United States has a persistent and severe rental housing crisis; there is simply not enough affordable housing to meet the demand (Appelbaum & Gilderbloom, 1983; Arnold, Crowley, Bravve, Brundage, & Biddlecombe, 2014; Joint Center for Housing Studies of Harvard, 2011, 2020; Shlay, 1995), and the Great Recession exacerbated this problem (Hwang, 2019; Immergluck, 2011, 2012; Immergluck & Law, 2014; Molina, 2016). Despite various policy responses to this issue (Berry & Hall, 2005; Galster, Tatian, & Smith, 1999), the problem persists. Because of the constrained housing market for renters, landlords play an increasingly important role in providing or prohibiting access to this limited commodity. Combined with the dramatic increase of gentrification in cities across the United States, which has further constrained housing markets (Hackworth, 2007; Woldoff, Morrison, & Glass, 2016), it is more important than ever to understand the role of landlords, as they are providers of housing for millions of Americans.

Research on low-income housing discusses the importance of landlords in the experiences of low-income renters (Boyd, Edin, Clampet-Lundquist, & Duncan, 2010; DeLuca, Duncan, Keels, & Mendenhall, 2010; Pashup, Edin, Duncan, & Burke, 2005; Rubinowitz & Rosenbaum, 2001). Upkeep of rental units, evictions, privacy violations, and social networking are all aspects of the rental market that landlords have some measure of control over, and these dynamics affect the quality and sustainability of renters' experiences in low-income housing. However, the vast majority of housing research has focused on the experiences of renters, and data have rarely been collected from landlords themselves. In recent years increased attention has been paid to the supply side of rental housing, and there has been an upswell of empirical research focusing on landlords (Desmond, 2012, 2016; Garboden & Rosen, 2018, 2019; Garboden, Rosen, DeLuca, & Edin, 2018; Greif, 2018; Immergluck, Ernsthausen, Earl, & Powell, 2019; Rosen, 2014).

**CONTACT** John Balzarini  [jbalarini@desu.edu](mailto:jbalarini@desu.edu)

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Additionally, there has been a surge of attention paid by scholars and activists to the eviction crisis in the United States. This is due, in no small part, to the massive contribution of Desmond's (2016) *Evicted: Poverty and Profit in the American City*, which put evictions, housing insecurity, and displacement of low-income Americans at the forefront of research on inequality and poverty. As a result of this national attention to the crisis, there has been an increase in research focusing on the many facets contributing to the eviction crisis as well as the impacts of evictions on low-income renters (Crane & Warnes, 2000; Desmond, 2012; Desmond, An, Winkler, & Ferriss, 2013; Desmond & Kimbro, 2015; Purser, 2016). For instance, Desmond and colleagues (Desmond et al., 2013; Desmond & Kimbro, 2015) have shown the deleterious health effects of evictions on adults and children, whereas Crane and Warnes (2000) have shown the relationship between evictions and prolonged homelessness. Previously, scholars focused primarily on studying the problem from the perspective of low-income tenants and those displaced by evictions, but increasingly attention has turned to the role that landlords play as agents in the crisis (Desmond & Gershenson, 2017; Garboden & Rosen, 2019; Hartman & Robinson, 2003; Raymond, Duckworth, Miller, Lucas, & Pokharel, 2016). For instance, Garboden and Rosen (2019), Immergluck et al. (2019), and Raymond et al. (2016) analyzed how landlords use the eviction process as a means to control and exploit tenants for economic gain.

This article adds to the growing research focusing on the supply side of rental housing by studying landlords and the strategies they utilize to avoid evicting tenants. Unlike most previous research, which focused on the prevalence of evictions and their effects on tenants, this research focuses on strategies utilized by landlords to avoid evicting tenants. We find that landlords employ numerous strategies to attempt to avoid evicting tenants, including forgiving back rent, payment plans for catching up on rent, accepting services like cleaning and maintenance in lieu of rent, and offering assistance and referrals to social services. When these strategies fail to maintain tenant occupancy, some landlords incentivize tenants to vacate. These incentives include inducing tenants who are delinquent on rent to vacate units without penalty of repayment and paying tenants to leave. These were considered last-ditch alternatives to motivate tenants to vacate that did not involve an eviction. Our findings show a rarely discussed set of strategies used by landlords to deal with tenants who have fallen behind on rent or otherwise violated the terms of the lease. These strategies are designed to help stabilize tenants in their homes or remove tenants without filing for eviction.

## Background

There is an eviction crisis in the United States, with almost a million evictions filed against tenants every year (Eviction Lab, 2020). Rising eviction rates are connected to other inequalities in the United States, as evictions are both an outcome of and an aggravating factor in income inequality. For example, the increasing costs of housing and lack of living wages in the United States combine to create a massive challenge for renters to obtain and maintain affordable, stable housing (Clark, 2017; Marcus & Zuk, 2017). Additionally, the cost of health insurance and health care, as well as the rising cost of living in other domains, contributes to the financial pressures faced by renters (Allen, Eliason, Zewde, & Gross, 2019). Evictions have a broad impact on renters in Philadelphia, Pennsylvania. In 2016, the eviction rate was 3.48%, translating to approximately 28 households evicted every day (Eviction Lab, 2020).

The consequences of eviction are significant for individuals, families, neighborhoods, and communities (Babajide, Blum, Maniates, & Scher, 2016; Clark, 2017). Evictions most clearly impact the residential displacement of renters, as facing an eviction can increase renters' likelihood of experiencing homelessness, limit access to affordable housing options, and restrict eligibility for housing assistance (Babajide et al., 2016; Crane & Warnes, 2000; Desmond, 2016; Greif, 2018; Lindblom, 1991; Rosenblatt & DeLuca, 2012). But the impact of evictions extends far beyond residential displacement, as evictions often have a domino effect on the lives of renters. Because housing is a primary aspect of an individual's or family's overall financial security, housing instability often leads to financial

insecurity (Body, 2019). When housing is unaffordable or unstable, renters have fewer resources to spend on basic necessities (Body, 2019), and evictions can lead to a financial spiral that is extremely difficult to escape (Idzikowski, 2018). Evictions are part of a complex tangle of financial challenges that low-income renters face, and evictions can deepen the financial insecurity of renters and lead to material hardship (Desmond, 2012, 2016; Desmond & Kimbro, 2015).

The domino effect of housing instability also impacts the health and well-being of individuals and families. Stable and affordable housing supports mental and physical health, and housing instability has the opposite effect (Maqbool, Viveiros, & Ault, 2015). Research shows that eviction negatively impacts renters' mental and physical health (Babajide et al., 2016; Desmond & Kimbro, 2015; Fowler, Gladden, Vagi, Barnes, & Frazier, 2015; Johns-Wolfe, 2018; Maqbool et al., 2015). Mothers who experience eviction are more likely to suffer from depression and report parenting stress than mothers who do not experience eviction (Desmond & Kimbro, 2015). Eviction is related to increased levels of hopelessness (Maqbool et al., 2015), and some research finds an association between experiencing an eviction and committing suicide (Fowler et al., 2015). Some renters who experience eviction report difficulty sleeping and increased anxiety following the eviction (Babajide et al., 2016).

The consequences of eviction are especially acute for children and adolescents (Desmond et al., 2013; Marcus & Zuk, 2017). Eviction often means that families have to move to a different neighborhood and the children must switch schools, which creates disruption in children's social and community ties and can negatively impact their educational trajectories (Marcus & Zuk, 2017). Mothers of families who have been evicted report worse health outcomes for their children following an eviction (Desmond & Kimbro, 2015). Eviction can increase families' likelihood of moving to a disadvantaged neighborhood because of the challenges in finding affordable housing after an eviction. High rates of residential mobility can negatively impact educational, social, and emotional outcomes for youth (Leventhal & Newman, 2010), and although research indicates that the impacts of neighborhood disadvantage on youth are complex, some studies find that adverse neighborhood conditions can have detrimental consequences for the health and well-being of children and adolescents (Li, Johnson, Musci, & Riley, 2017). Because evictions disproportionately impact low-income renters, the eviction crisis is a crucial fiber in the tapestry of housing insecurity in the United States. The decisions of landlords to evict tenants have profound implications for tenants' futures in ways that contribute to the cycle of poverty and dispossession experienced by low-income communities (Desmond, 2012, 2016; Purser, 2016). Given the extreme lack of affordable housing in the United States and the impact of the economic recession on both the rise of cost-burdened renters and the increase of rental rates, landlords play an increasingly prominent role in mediating housing insecurity. Prior research shows that some landlords are able to remove tenants without resorting to eviction by using informal, off-the-books evictions (Desmond, 2016), and many tenants leave rental units before the eviction process is completed (Hartman & Robinson, 2003)—skipping out in anticipation of an eviction (Purser, 2016). Other tenants move because of rent increases or because they occupied a unit without a lease, giving landlords complete freedom to remove tenants. These informal eviction strategies add to the crisis without always being recognized or counted in official eviction statistics. Thus, the full picture of residential displacement requires further inquiry into the complex and varied processes by which landlords make decisions about the tenure of their renters.

### ***Scene in Philadelphia: Gentrification, the Housing Market, and Evictions***

Philadelphia is the center of one of the largest metropolitan regions in the country, and although Philadelphia is not representative of all U.S. cities, its dynamics of deindustrialization, gentrification, and lack of affordable housing are comparable with those of many cities throughout the country (Ding, Hwang, & Divringi, 2015; Pew Charitable Trusts, 2016, 2018b). Philadelphia endured the devastating effects of deindustrialization and white flight to the suburbs throughout the latter half of the 20th century and is experiencing a return of capital investment and people that has intensified over the last 20 years (Adams et al., 1991; Adams, Bartelt, Elesh, & Goldstein, 2008; Beauregard, 1990;

Pew Charitable Trusts, 2016; Smith, 1996; Spain, 1993). Although Philadelphia has undergone significant capital reinvestment of its downtown and surrounding neighborhoods, this renaissance is exacerbating an already existing housing crisis in Philadelphia. For cities like Philadelphia, gentrification often triggers a rise in rents, making many communities less affordable for low-income renters as the demand for housing and commercial space increases (Chizeck, 2016; Ding et al., 2015), which can lead to both direct displacement of renters and collective displacement of community resources (Howell, 2018).

The housing stock in Philadelphia is older than the national average. According to Divringi (2019), close to a third of Philadelphia's housing was built before 1950, compared with barely a fifth of homes nationally. As a result of age-related wear and tear, along with half a century of disinvestment and decline, the estimated cost to repair occupied housing in the Philadelphia region is \$2.7 billion, of which \$900 million is needed to repair rental housing (Divringi, 2019; Wallace, Divringi, & Wardrip, 2019). Philadelphia has a high rate of homeownership compared with other large cities, although the rate of ownership has dropped 10% from 59.3% in 2000 to 49% in 2019 (Pew Charitable Trusts, 2014, 2019). Between 2000 and 2012, Philadelphia had the second highest drop in homeownership among the 30 largest U.S. cities (Pew Charitable Trusts, 2014). Historically, Philadelphia has been a city of row houses passed down from generation to generation; it is now a majority renter-occupied city, experiencing a 15.3% increase in renter households between 2000 and 2014 (Chizeck, 2016; Pew Charitable Trusts, 2014, 2019).

Mirroring national trends, the demand for rental housing in Philadelphia has increased significantly (Joint Center for Housing Studies of Harvard University, 2020; Pew Charitable Trusts, 2018b; Wachter & Acolin, 2016), and gentrification has tightened rental housing markets to the detriment of low-income renters (Chizeck, 2016; Leopold, Getsinger, Blumenthal, Abazajian, & Jordan, 2015; Pew Charitable Trusts, 2018a). For instance, Chizeck (2016) found that between 2000 and 2014 Philadelphia lost 20% of its low-cost rental housing, and the decline was 5 times higher in gentrifying neighborhoods. Research by Ding et al. (2015) found that low-income renters are more likely to move out of gentrifying neighborhoods and less likely to relocate to gentrifying neighborhoods. Since 2010 the rental vacancy rate in Philadelphia has dropped from 7.3% to 4.9% (American Community Survey, 2018), and although housing tenure is high in Philadelphia, with almost a third of residents living in their homes since 2000 or earlier (American Community Survey, 2018), renters, especially low-income renters, have become more vulnerable to the tightening housing market. Philadelphia's poverty rate is 26%, making it one of the poorest big cities in the country, and nearly one-third of its low-income renters spend 50% or more of their income on rent (Pew Charitable Trusts, 2019). Philadelphia's high poverty rate, gentrification, rising rents, and tightening housing market are causing low-income renters to face increasing burdens and barriers to affordable housing.

Philadelphia renters face a plethora of problems with their housing, including exposure to lead paint, aging and deteriorating units, and unsafe conditions in unlicensed units (Blumgart, 2018a; Divringi & Wallace, 2019; Jaramillo, 2019; Volk & Christie, 2019). Additionally, few low-income renters receive public housing assistance (Blumgart, 2018b; Pew Charitable Trusts, 2018b). Of course, eviction is one of the most deleterious experiences faced by Philadelphia renters. The eviction rate in Philadelphia is 3.48%, and one out of every 14 renters will have an eviction filed against them, totaling more than 20,000 people (Eviction Lab, 2020; Terruso, 2018). The eviction rate is even higher in predominantly African American neighborhoods (Reinvestment Fund, 2016). Evictions are a crisis for Philadelphia renters, and considering the pace of gentrification and development, as well as rising rents and housing costs, it is highly likely that the crisis will continue to intensify. Although Philadelphia City Council has enacted some measures to deal with the eviction crisis, many argue that this is not enough to protect Philadelphia's most vulnerable renters (McCabe, 2019; Terruso, 2019).

## Methods

The data for this research came from 71 interviews, carried out between 2017 and 2019, with landlords and property managers in Philadelphia. The interviews were in-depth and semistructured, with a conversational flow to them to build rapport and ensure the interviews allowed for respondent-driven data. We used grounded theory as the methodological approach to our interviews to maximize capturing the richness of respondents' stories. A grounded theory approach to research prioritizes the identification of theoretical categories, properties, and frames concurrently with data collection and analysis (Charmaz, 2006; Corbin & Strauss, 1990; Glaser & Strauss, 1967). Our goal was to capture the depth and complexity of landlords' experiences and perspectives. The interviews lasted between 1 and 3 hours and were audio-recorded with the respondents' consent. The audio files were transcribed and a qualitative analysis software program was used to code the transcripts, utilizing both inductive and deductive coding strategies. We wrote a codebook based on the interview guide, and then developed the codebook to capture the themes that emerged during the interviews. We coded 10% of the transcripts during the codebook development process to capture the range of themes present in the data, and created a coding database to systematically code all of the interview transcripts. We created analytical memos based on the coding and used these memos as the foundation of our analysis (Charmaz, 2006).

We engaged in purposeful sampling by recruiting respondents primarily through a landlord organization in Philadelphia. Purposeful sampling is a commonly used sampling strategy in qualitative research to identify and select "information-rich cases" connected to the study topic (Palinkas, Horwitz, Green, & Hoagwood, 2013, 2). We networked with the landlord organization to recruit landlords by attending meetings, and we also utilized the organization's listserv and online forums to recruit respondents. The vast majority of our respondents were recruited through the landlord organization ( $n = 59$ ), and the rest were recruited through referrals ( $n = 12$ ).

We used purposeful sampling for several categories to ensure that we had a variety of respondents. First, we collected data from both landlords and property managers. Property managers occupy a unique position as intermediaries between landlord and tenant interests in the rental housing relationship. Interviewing property managers allowed us to gather data from a different perspective in terms of interests and behaviors related to upkeep of rental housing, and also to compare our findings with the landlord interviews. Second, we collected data from landlords with properties in a wide variety of neighborhoods in the Philadelphia region, including both city and suburban neighborhoods. We interviewed landlords in middle- and higher income neighborhoods, landlords who have properties in some of Philadelphia's poorest neighborhoods as well as gentrifying neighborhoods, landlords who rent primarily to college students, and landlords who rent properties through the Housing Choice Voucher program. Many of the respondents had units in multiple neighborhoods and rented to tenants from a range of income brackets. Third, our sample included landlords who rent commercial as well as residential units. Finally, our sample included a range of landlords and property managers, from landlords with large real estate holdings to landlords with as few as one rental unit, with 47 respondents owning under 20 units and 24 respondents owning 20 or more units.

Our goal in sampling was to be purposeful in collecting data from a wide range of types of landlords who owned rental units in a variety of neighborhoods, rather than to recruit for specific numbers of respondents in different categories. We were intentional about including respondents with rental units in highly gentrifying neighborhoods in Philadelphia, and we also included landlords with units in the surrounding suburbs.

The majority of the respondents with whom we spoke were small-scale landlords, and the property managers with whom we spoke almost exclusively represented landlords with fewer than 20 properties. Small-scale landlords are distinguished from larger, more corporate landlords not only by the size and scale of their real estate portfolios, but also by the structure and organization of their operations (Aparar & Narasimhan, 2008; Gilderbloom & Appelbaum, 1988; Sternlieb, 1966).



Large developers and rental real estate companies are modeled on corporate bureaucracies (Immergluck et al., 2019; Immergluck & Law, 2014; Raymond, Duckworth, Miller, Lucas, & Pokharel, 2018). On the other hand, small-scale landlords are involved with most, if not all, facets of operations. They advertise their vacant units, screen tenants, collect rent, interact with tenants, oversee (or, in some cases, perform) maintenance, upkeep, and rehabilitation, and deal with the courts when necessary, and they are the primary accountants for their businesses.

## Results

### *Working With Them*

Most landlords we studied described their willingness to work with tenants who were not paying rent or otherwise violating the lease, in an attempt to avoid filing for eviction. Similar to findings from other research (see Garboden & Rosen, 2019), the landlords in our sample often found it more desirable to employ strategies to keep tenants in their homes because of the time, costs, and hassle associated with filing for eviction. We found that effective, consistent communication was a key factor in landlords' willingness to engage in a process to avoid evicting tenants. As Brett<sup>1</sup> explained, "I'm willing to work with them from day one. If they're communicating with me, trying to keep it going, I'm fine." *Working with them*, as so many landlords phrased it, included numerous strategies designed to retain tenants and maintain rental cash flow. For most landlords the goals of both keeping tenants and maintaining cash flow were paramount, and evictions were the method of last resort—to be avoided until alternative strategies had been exhausted.

There were numerous ways landlords attempted to work with tenants when they were behind on or unable to pay rent. Landlords employed individual strategies or multiple strategies at once to avoid evicting tenants. As Garboden and Rosen (2019) have argued, eviction should not be understood as simply a discrete event, but rather as a process involving many steps—from when a tenant is first notified of a landlord's intention to evict to the day they are displaced from their home (see also Hartman & Robinson, 2003). Similarly, we find that the strategies used by landlords to avoid evictions involved an ongoing process of negotiation and compromise between landlords and tenants. The landlords we studied typically used multiple approaches for various tenants, depending on the tenants' circumstances and the belief of the landlord that the tenant would eventually be able to fulfill the terms of a lease. Tenant willingness to communicate with the landlord was of the utmost importance. Time and time again, we found that landlords were willing to work with tenants if tenants were willing to communicate with the landlord regarding their challenges and problems. These strategies for working with tenants were a way for landlords to impose some measure of certainty and control on situations with uncertain outcomes.

One interaction between a landlord and tenant provides a good example of this process of employing multiple strategies to work with tenants to stay in their homes. Paul, the landlord, was working with a tenant who had fallen behind on her rent. The tenant had been out of work for a few months and her boyfriend, a construction worker, was dealing with an injury that prevented him from working. First, Paul and his tenant established a line of communication. Through numerous conversations, Paul became aware of his tenant's unemployment and her boyfriend's medical issues. As a result of this dialogue, Paul allowed them some flexibility to get back on track with the rent. Paul decided to waive the months' worth in accumulated late fees if the tenant agreed to pay the rent plus an additional amount each month until the back rent was paid off. The tenant was happy with this arrangement, as she had recently found a new job and was working extra hours. With a plan to make up for the back rent in place, Paul offered some suggestions regarding alternative medical treatment for the tenant's ailing boyfriend, for which she was appreciative. The tenant then inquired about opportunities for her boyfriend to do some light maintenance on their home as a way to make up for some of the outstanding rent. Paul agreed to this and wrote up a list of landscaping and maintenance jobs the boyfriend could complete on the tenant's home as well as on other properties

Paul owned in the area. Altogether, these various strategies utilized by Paul helped him avoid evicting tenants who he believed could get back on track and stay in their home.

This interaction between Paul and his tenant illustrates the ongoing process of communication and negotiation that is involved with avoiding eviction. Landlords utilized different strategies depending on their past successful and unsuccessful experiences working and communicating with tenants, as well as their evaluation of the sustainability of the situation.

A small number of landlords did not work with tenants and simply filed for eviction as soon as tenants violated the terms of the lease. We found that in almost all of these cases landlords had once employed strategies to avoid evictions, with other tenants, but because of numerous experiences where they felt strained, taken advantage of, or dejected by the process, they had simply given up trying to work with tenants and resolved to take a more hard-line approach to dealing with tenants in the future. In essence, these were landlords who felt burnt out after having too many bad experiences working with tenants and had therefore abandoned the approach. However, the vast majority of our respondents attempted to work with tenants in various ways. In the following sections, we describe the various strategies that landlords used in the process of mediating evictions.

### ***Something Is Better Than Nothing: Late Rent, Late Fees, and Payment Plans***

Many disputes between landlords and tenants involved failure to pay some or all of the rent in the time frame specified by the lease. This was the most common impetus that triggered the process of working with tenants. When tenants were unable to pay all or a part of the rent, or were unable to pay when the rent was due, landlords became involved with the tenant, since their bottom line was now threatened. Through a process of discussion and sometimes negotiation, ultimately many landlords resolved to accept at least some money from a tenant who was struggling to keep up with the rent, as opposed to evicting tenants. The key requirement for this kind of flexibility for most landlords we spoke with was a commitment by the tenant to communicate with the landlord. If landlords felt like the tenant was avoiding them by not returning calls or being dishonest about their ability to pay the rent, they were more likely to take a hard-line approach culminating in an eviction. However, if landlords felt like they were being respected by tenants who were willing to contribute some money, the landlords often considered this to be better than nothing, as Samuel summarized:

I hate to say this, you can't get blood from a stone.... If I can get something, it's better than nothing. I'm not overwhelmed to get it, but I'm okay with getting something. If you see that somebody is not a timely payer, you can make their life harder and then risk them making your life harder in response, or you can just try to work with them and realize that making their life less stressful will benefit you and it's worth it. I hate how manipulative this makes me sound, but that's just a reality. If you're in that game, you're subject to that person's ability to pay and also their intent to pay.... Something is better than nothing.

Often this willingness to work with tenants was the result of tenants establishing a good relationship with the landlord. If tenants typically paid their rent regularly for an extended period of time, then many landlords could forgive situations where tenants fell behind as long as tenants were forthright about the situation. As Marcus explained:

If you give me three solid years of no late payments and then you're late for a week, I'm not going to bang you for the 50 bucks [late fee]. I don't have to do it. I'd rather you be happy with where you're at.... Even if you do deserve to be hit with the fee it's a good like, "Okay. I recognize the last three years, though; I'll wait this week."

Marcus reiterated a consistent theme we found in our research. As long as tenants were up front and communicative about their inability to pay rent, landlords were far more likely to work with them. In addition, tenants who consistently paid their rent were very likely to be forgiven for minor infractions, as many landlords were happy to waive late fees for tenants they perceived to be honest and consistent. Vincent described this process:

If you're going to be late with the rent...I want you to pick up the phone and call me. The most important thing we establish is communication. If we have communication, we can solve like 75%, 80% of the initial problems.



A tenant calls me up and says, "I'm going to be late this month for about a week." "No problem, but are you going to do it? Are you really going to do it?" "Yes, yes, yes." "All right, I'm going to be looking for it next week. No late charge, I'll waive it this time."

Establishing the line of communication about delayed rent was a first step required by landlords, followed by rounds of discussion and negotiation. Landlords wanted to understand the reasons why tenants were falling behind on rent and know how they were planning to catch up. Martin provided an example of a tenant who had fallen behind on their rent because of losing their job:

I'll say, "Listen, normally I would raise the rent at the end of the year. I'm not raising the rent on you. Normally, I charge you 5%, five days late on the rent. Ten days late, I charge 10% late fee. I'm not going to charge you the late fee. How long do you think it'll take you to get a new job? Of course, you don't know. When you do, as soon as you do, let me know. We'll charge you the regular rent. We won't charge you [the] late fee. We'll hang with you for a while. Pay me what you can and let's see. I can sustain it for a while. I can't be your rich uncle Henry. This is a business for me. You have to be able to work it out somehow." They paid the rent. It was late, in each case, because they were trying to pull the funds together. I didn't charge them any late fee. They got another job after some time, and took about six months. Now, faithfully, it's automatic pay from his check, he says, "I don't want to ever have to deal with late fee."

Landlords expected tenants to make plans for how they would catch up on back rent or otherwise return to consistent rental payments. Jackie, who had dealt with many tenants who fell behind on their rent, explained her attitude about such situations, "You know, I listen to you because I'm a compassionate person.... Just tell me about the plan and how you're going to pay me my money. They know, people who been with me, they know. They come to me with a plan before I even ask them. They know." Like Jackie, many of the landlords recognized tenants falling behind on their rent as an inevitable part of the business of being a landlord and were willing to work with tenants to develop plans for paying back some or all of the rent. These included payment plans where tenants paid a little on top each month to catch up or paid some of the money owed in lump sums. As part of these negotiations and planning, many landlords found it easier to forgive late fees and other penalties, as these were viewed as exacerbating an already difficult situation for tenants.

Ultimately, each landlord decides what they will accept in repayment from tenants who fall behind on their rent. These decisions can vary because of past experiences (either successful or unsuccessful) working with tenants. In addition, the variety of situations that can prevent people from paying rent are vast (Crane & Warnes, 2000; Desmond, 2012; Dreier, 2000; Morris, 2009), and landlords who have been in the business for a long time speak as if they have seen it all. Some empathize with tenants, and some landlords described relating personally to challenges that tenants faced. That said, it was clear that the goal of working with tenants on delayed rent was to enable tenants to pay some rent to maintain positive cash flow. However, ensuring that money continues to flow is often easier said than done, as Patricia's resignation shows: "We haven't been the kind of landlord that's going to beat a person down and hound them for the money. If they don't have it, they don't have it. They always have a sad story."

### *Services in Lieu of Rent*

Another strategy employed by landlords to retain tenants and avoid evictions was to negotiate agreements with tenants who had fallen behind on rent or were otherwise unable to pay rent to perform a service in exchange for rent. Used in conjunction with payment plans, services in lieu of rent included doing odd jobs around the tenant's unit or the building, such as painting, minor repairs, trash disposal, and groundskeeping. One of the most common services tenants provided for landlords was cleaning. Ava described a situation where a tenant had fallen behind on their rent and she suggested they clean an apartment and the common areas in exchange:

I'll say, "Well, I got a job for you to do, clean. Now, you clean this place for me. Bathroom, when I come in here I want to see the toilet clean, shower clean. Kitchen. The hallway. You clean outside. Make sure that the whole block is clean." That would be my way of compensating. I say, "Well, I'll be deaf to [a portion of] your rent."

If a tenant had specialized skills, such as knowledge of a trade, then those types of services could be bartered for rent. Painting, plumbing, and carpentry were common examples of the types of specialized work tenants could do to make up for back rent. However, the majority of services exchanged for rent included tasks like cleaning, odd jobs, minor repairs, and errands. These were considered easy tasks which did not involve specialized skills or experience, and were, of course, costly and time consuming for landlords. In some cases tenants would act as a “Johnny-on-the-spot,” ready and willing to take care of various tasks. Kim described a tenant who acted as her Johnny-on-the-spot: “He watches things for me, so that’s money right there. If I ask something, he just automatically does it. He cleans the hallways and the public way for me.” Tammy described a tenant who was a single mother struggling to make ends meet, so she offered the tenant various jobs to help cover the gaps in rent:

Over the years, I’ve needed some little things done. She’s been willing to run some errands for me down there, going to the JFK building to file some paperwork for me. I paid her for it, for her time, but it saved me from having to drive down there, to take care of it myself. I was very happy with that situation. I thought she was very trustworthy.

Teresa recounted a situation following a medical procedure where a tenant provided support services for her:

[A] tenant who was there for seven years, she had lost her job and she was home all the time when I had to have heart surgery. When I came home from the hospital she was my helper. We excused her rent and she would come over and she’d bring her laptop over so I could use a computer. She was really a good friend. She became really a good friend and we’re still in touch with her.

Providing services and tasks useful to the landlord was another way for tenants to work with landlords to avoid evictions. Of course, this process depended on the flexibility and availability of the tenant, but allowing tenants to perform various services useful to the landlord was another strategy that helped landlords avoid evicting tenants.

### ***Referrals and Assistance***

In some cases, when landlords were aware of, or privy to, tenants’ medical problems or financial struggles, they would attempt to aid tenants by connecting them to social support services. To be clear, the goal for landlords was not to act as a stand-in for social services; the goal was to work with tenants to help them get back on track and pay the rent, as Sharon explained:

[W]e’re willing to work with, help if we can, but I don’t mean by help, by being a doormat. Help like our one tenant who we’re having a lot of trouble with actually right now. I’m sure she’s within poverty levels, probably pretty low down on there. I was the one who helped her get connected with community legal services and solved the problems that set her into not being able to pay her rent.

Sharon continued to describe how she helped a tenant by connecting them to services that would get them on track with paying rent, which was a solution that did not involve filing for eviction. Sharon continued to work with the tenant to try to get them on the Housing Choice Voucher program (previously named, and still commonly referred to as, the Section 8 program):

She’s a lovely woman, but, there’s a huge but. She came back and told me, you can’t get into Section 8, so I went looking. This is how I often help her, I do the research, and then I tell her what to do...I found out there’s a two-year wait to get into the Section 8 program. They are not taking anyone new...I’m real strategic and I’m going to do whatever I possibly can to figure out how to help this lady until which point she can’t be helped and maybe we have to try a different solution.

This example shows the extent to which some landlords intervened to help their tenants find some financial security to pay the rent. That said, there was always a limit to how far landlords would extend themselves on behalf of tenants, and the possibility loomed that the help might not be enough and different solutions might become inevitable.

As we found, the types of aid and support for tenants varied by tenants' personal needs. Brian explained a situation where a tenant who stopped taking their medication was causing a disruption to other tenants in the building:

I go home and I feel bad for the some of the tenants. . . I had a four-unit building that the guy on the second floor, he was from a state-disability-run program. I forget the name of the program but he was psychotic and he was a hoarder. He was medicated, he had a job at a Wendy's; he was self-sustaining. They paid like 800 dollars of his rent, he paid 100 dollars. He went off his meds, and I started getting calls from the other tenants in the building [about his hoarding]. . . I called his case worker, they would go out and they'd try and help him. Again, it's one of those things, you can't force somebody to medicate. I said to my wife, "That guy, once he's off his meds. . ." I felt bad for the rest of the building, but I felt bad for him because his case worker wasn't on top of things. I was calling his case worker saying, "He's going off the deep end, somebody has got to get involved."

As Brian explained, he felt badly for his tenant whose behavior was causing a disruption for other tenants. Brian's solution to this issue was to get in contact with the tenant's case worker to try to resolve the problem. He wanted to avoid a situation where he would lose the tenant over an issue that the landlord perceived as complicated. Brian felt compelled to intervene on behalf of the tenant and try to connect the tenant to services and resources that could help him through his medical difficulties.

For some landlords, providing referrals or connecting tenants to programs and sources of assistance was as simple as helping someone in need. Of course, most landlords hoped that this aid could potentially enable tenants who were delinquent on their rent to be able to pay. As Ava explained, "I'm a giver, but I don't want to give everything away as far as money is concerned, but if I know somebody needs some help, I'm going to help them out."

### *Forgiving Back Rent, and Cash for Keys*

When working with tenants failed and landlords believed they were at an impasse, many resorted to strategies to entice tenants to vacate without filing a formal eviction. Generally, this process of encouraging tenants to vacate involved two often overlapping strategies. One strategy was to simply request that tenants leave without paying back rent and without legal ramifications. Landlords favored this approach because it saved them the cost and the hassle of filing an eviction. Landlords also framed this strategy as having benefits for the tenant—they avoid having an eviction on their record, as Brian explained:

If I can accelerate, just cut them a deal, say, "Listen, I won't hurt your credit, I won't put a judgment against you; you won't have any garnished wages, just move out, 30 days. Can you do that for me? Listen, you had a security deposit, we're going to keep that and we won't do legal anything as long as you are willing to move out in the next 30 days. Most of them did. They even said, "Hey, I'm out. I know I can't do this. I'll leave."

As Brian illustrated, landlords were sometimes able to convince tenants that it is in their best interests to vacate the property quickly and without incident. This strategy often employed the threat of eviction as a final recourse to be effective, as other studies have found (see Garboden & Rosen, 2019). Using eviction as a threat was something most landlords practiced, although it was perceived by many landlords to be mutually beneficial for tenants to voluntarily vacate before an eviction was filed, even if the landlord would lose out on back rent. Jackie explained a situation like this:

I'm trying to be nice, because I don't want to go downtown. I told her [a tenant], I said, "Why don't you just take your 3,100 dollars and move? Did anybody give 3,100 dollars today?" She said, "No." I said, "I'm giving it you. Just move, just leave. If we go downtown, you're going to have an eviction notice. If we stop it right now, then everybody could just walk away. I'm hoping that you have a good attitude about me, you won't destroy my house on the way out."

Jackie perceived herself as "being nice" by offering a choice to the tenant who owed her a large sum (\$3,100) in back rent. The tenant could either leave without obligation to pay the back rent or

they could face an eviction. The landlord framed it as a generosity to forfeit the back rent and let the tenant vacate. It is important to note that, as Jackie explained, she did not want to “go downtown” to file an eviction either. The time and hassle of filing an eviction was something many landlords wanted to avoid, if possible. In this way, landlords framed themselves as offering tenants a mutually beneficial opportunity to terminate the lease without legal ramifications. It is also important to note that the landlord was very worried about the tenant damaging the unit, which would add to the turnover costs and time; this is why it was so important for landlords to “be nice” and give people incentives to vacate. The landlords we spoke with often referred to tenants damaging property in retaliation for acrimonious interactions and threats of eviction. Therefore, many landlords explained the importance of a gentle hand when attempting to convince a tenant to vacate a unit.

Sometimes simply terminating the lease and requesting tenants to vacate was not perceived to be enough to motivate tenants to leave both quickly and without causing problems for the landlord and/or causing damage to the property. In these cases, when landlords wanted to remove tenants who they perceived as difficult, they would use the strategy of offering cash incentives to vacate. As Mark explained, “You pay them, cash for keys. You pay them to get out.” Cash for keys was a practice that many landlords utilized as a last-ditch effort to avoid filing an eviction, and this strategy also employed the threat of eviction. Many landlords used the threat of eviction and the cash incentive as both a carrot and a stick to convince tenants to vacate. Mark continued to describe this strategy, “All landlords except the slumlords check the records before renting. If you had an eviction in your history, it makes it very difficult to rent another place. People like to avoid that, so that’s why the cash for keys deal works.”

Landlords explained that cash for keys was a strategy to take possession of properties quickly so they could complete repairs and rent out units as soon as possible. This was often considered preferable to time consuming and costly evictions. Paying tenants was also perceived as a good strategy to deal with troublesome tenants, described as people who would not pay rent, would not communicate with the landlord, would not vacate the unit, or would damage the property. All of these things taken together, combined with a costly and lengthy eviction process, made cash for keys a much more preferable method, as Jason explained:

I know a lot of people will consider cash for keys, so if you got somebody there and they’re not paying rent and you want them to move from there and they’re giving you some resistance because they don’t have any place to go or whatever, you give them some money. Sometimes, that can help to motivate them to get them out.

Martin offered a similar sentiment:

If I see clearly they can’t [pay the rent], then I will go and say, “Listen, you just can’t pay this rent anymore.” I’ll say, “I’m sorry I have to evict you but save me the trouble of expensive eviction. Save yourself the trouble of having that on your record so that if you go to get another house, you don’t have a judgment against you. I’ll give you 300 dollars so you can be out by the end of the month. I’ll pay.”

Many landlords believed in their own magnanimity; cash for keys was perceived as a merciful strategy for removing tenants without bringing the weight of an eviction down on tenants. Some landlords perceived themselves as giving their tenants an opportunity to start fresh somewhere else by giving them a little money that could be used for a down payment or a security deposit for another rental. From the landlords’ perspective, they were avoiding harm to the tenant as much as they could. Landlords understood that an eviction would ruin a person’s credit, make it more difficult (or impossible) to find a home, and disqualify tenants from social services and housing assistance. And whereas collecting some money is perhaps better than nothing, it was clear from interviews that removing problematic tenants while avoiding evictions was very often in the best interest of the landlords, even if that meant forfeiting back rent or paying tenants to vacate.

### ***Why Landlords Attempt to Avoid Eviction***

There were numerous reasons why landlords employed these various strategies to avoid evictions. As previously described, a primary reason is that landlords perceived evictions as time consuming and costly. In addition, landlords were not eager to deal with the Philadelphia court system, which most believed was unfairly skewed in favor of tenants.<sup>2</sup> Overall, many landlords found it more cost effective to either keep tenants in their homes or incentivize tenants to vacate without involving the Philadelphia eviction court. However, landlords also described more tenant-focused reasons for avoiding evictions. Some landlords described a sense of commitment they felt toward long-term tenants. In these cases, landlords felt obligated to do what they could to manage, negotiate with, and in some cases protect long-term tenants from displacement.

### ***Protecting Long-Term Tenants***

Many landlords were especially inclined to work with long-term tenants. Long-term tenants represented the type of consistency they valued; tenants had a good relationship with landlords, took care of their homes, and paid their rent—most of the time. These were the types of tenants who, under normal circumstances, landlords did not need to worry about, so when issues did arise, landlords were more likely to work with these long-term tenants and avoid filing for eviction. Franklin explained a situation where a long term-tenant fell behind in their rent:

She got behind, and it was tough, because even prior to me owning the property, I think she had lived in the building for somewhere between 8 and 12 years. She was somebody that was ingrained in the community. Everybody in the neighborhood knew her. Then I had a relationship with her, because I had managed the property initially, in the beginning. That was kind of tough. In that instant, I did give a little longer leash, about two or three months of her not paying rent. I think she owed two or three months, and then, she caught up.

The stability that a long-term tenant provides for a small-scale landlord is extremely valuable. These are tenants who have consistently paid rent and for whom few investments in the units have been made. These are tenants who do not give landlords headaches, so to speak. They were essentially worry-free rental income, and that was something landlords were very willing to protect, if they could.

Vincent explained a circumstance where he gave a long-term tenant flexibility that he would not extend to just any tenant:

Rent's due on the third. That'll give you a couple days. I'm not going to nail you on the fourth. If I don't hear from you by the fifth...we file for eviction. I'm very strong on that. I do have a couple of people that have proven themselves to be good, but because of some of the nature of their work, we don't get the rent until the third week. So yes, I broke my rule, because they've been with me for some years. I personally know one guy's problem where one of his sons died and the wife abandoned the several kids, so this guy—although, he didn't physically bring the three grandsons into his apartment...he's financially on the hook with them... Sometimes, it does come on time... That guy's been with me for seven, eight years. I love the guy. Sometimes, you can't just be so hard case, so brass bounded, it's got to be that way.

As Vincent explained, he broke his rule about late rent with this tenant whom he has known for many years and who has demonstrated consistency and reliability. It is important to note that this landlord was one of the more rigid respondents regarding his policy on late rent. As was the case with some of the other landlords, Vincent had been in the business for many years and had more than his fair share of stories about difficult tenants. As a result, he adhered to far more hard-line policies with regard to late rent and evictions. Nevertheless, he broke his own rule because he had gotten to know this tenant over many years and was willing to work with him if the rent was late.

After years of interaction, some landlords developed a fondness for and connection to their long-term tenants, as Beverly illustrated: "I have somebody who I had now for seven or eight years and she occasionally has real trouble paying the rent. She does not make a lot of money, she's a great

person.” Beverly shows how over time landlords can develop attachments—primarily based on an economic arrangement, but attachments nonetheless—for long-term tenants whom they have gotten to know and trust. It was easier to work with these tenants if situations arose that prevented them from paying some or all of the rent than to evict them.

Landlords consistently expressed their preference for long-term tenants. If tenants stayed for long periods of time, then landlords did not have to worry about vacancies, the expenses associated with turning over a property, or finding new tenants. Consistent tenants (usually) meant consistent rent, which was ideal. In addition, landlords got to know long-term tenants; they developed a rapport through years of interaction. In other cases, what was valued was the lack of interaction between tenants and landlords; that landlords did not have to think or worry about long-term tenants meant one less hassle or distraction—and that, for many landlords, was enormously valuable. As a result of all of these advantages that long-term tenants bring to the rental housing relationship, landlords were far more lenient with these tenants when issues involving late rent arose.

### *Vacancies, Turnovers, and Evictions: Time Consuming and Costly*

All landlords we studied explained the importance of having units continually rented. Any protracted vacancies in units could hurt the profitability of a unit. Therefore, it was crucial for landlords to avoid extended periods of vacancy, as Mary explained:

The best thing is still when a house is continually rented. That’s your best benefit. Having interruption of rent, it costs a fortune. Once people move out, you’ve got to renovate the house all over again. It starts over and finding tenants...and all that kind of stuff. That whole process loses you months of income.

In the rental real estate business, the profit margins are much tighter for small-scale landlords. Even landlords who own a moderate number of units are not immune to the costs associated with protracted vacancies of rental units. Landlords have mortgages on their properties, and some properties are highly leveraged because of landlords liquidating equity to reinvest or to take profits. In addition, landlords in Philadelphia are responsible for water and trash bills, taxes, insurance, maintenance, and in some cases violations and tickets, all of which add up as expenses that are paid through rental income. If that rental income is not coming in, then the losses can add up. In addition, the costs associated with turning over units (repairing and upgrading units in preparation for new tenants) add to the expenses that accumulate because of extended vacancies. These are some of the primary reasons why landlords attempted to keep tenants in their homes and avoid evictions.

By employing the strategies discussed in this article, landlords were able to fend off some of the potential financial hardships associated with vacancies and turnovers, as described in detail by Kevin:

I’m not evicting a tenant because they got a trash fine. I just cut it. I’m not going through 5,000 dollars or 10,000 dollars loss because I’m pissed off about 50 dollars, or 75 dollars, or whatever it is... The point of it is...say the property just tanked, you lost three months’ worth of rent, so...if it’s 700 dollars a month, it’s 2,100 dollars. Then you’ve got the cost in the turnover...shampooing the carpets, it’s replace the carpets, cut the carpets out, you’re exterminating the bedbugs, you’re exterminating for roaches. Sometimes you’re taking your nice oak cabinet bases, removing them so you can clean and paint behind them, and kill all the cockroach eggs. Then, you’re repairing the walls, and you’re painting the walls, and you’re putting new flooring down. Light fixtures, you’re checking all the outlets to make sure all the outlets work. Windows go up and down. There’s a whole checklist of things they have to go through. By the time you’re done, it’s no longer a couple thousand bucks; you’re looking at turnovers that cost 5,000, 6,000, 7,000, 8,000 dollars.

As Kevin described, there are a variety of expenses and costs associated with vacancies and turnovers that landlords would like to avoid whenever possible. Although all of these expenses are recognized as the costs of doing business, landlords become risk averse as small rental holdings are bound by tighter profit margins.

A point specific to Philadelphia involves the costs associated with maintaining an aging housing stock. Philadelphia is a city of row homes, many of which were built between the 1920s and 1950s. As



a result, many of the units owned by landlords require a significant amount of maintenance and upkeep because of age-related deterioration (Divringi, 2019; Divringi & Wallace, 2019). This adds to the costs associated with turnovers and vacancies, which landlords in newer housing markets might be able to avoid.

In addition to the costs of vacancy, there are the specific costs involved with proceeding with a formal eviction. A ubiquitous refrain from landlords was their antipathy for the Philadelphia court system. Most exclaimed that Philadelphia eviction court was time consuming, expensive, and, most importantly, anti-landlord. There was a broad consensus among landlords we interviewed that the courts favored tenants and ignored the challenges and costs endured by landlords while an eviction proceeded. As a result of the costs and hassles associated with evictions, along with the perceived bias against landlords, many found it optimal to work with tenants. As Brett explained:

You know, there are times when some of them got into financial binds. I've had tenants that owed me up to 9,000 dollars, 10,000 dollars, and are still living in the property, so they caught up. Because they just had a rough patch and you know I kind of work with them. At some point in time, they understand that I can only go so far. I look at it this way—technically I can start eviction, 15–18 days if you're behind, that's the law. However, with the way the eviction laws work, it's stacked for the tenant, not for the landlord. You lose more money evicting sometimes. Sometimes, it's better to work out something, and I've worked out deals that people say, "You're crazy," but I'm getting my money back, so I'm not crazy and somebody's living in the property so I don't have to worry about vandalism.

The costs, time, and perceived hassles of eviction court disincentivized landlords from filing evictions, as Jeffrey explained:

Yes, I'll let you be a week late. Yes, I'll let you be a month late, because, in all honesty, there's nothing I can do about it anyway. You could just evict them. Go around to eviction courts; see how easy that is...sometimes it's easier to just say, "Okay. Pay me next month" than to go ahead and start the eviction procedures. [Evictions are] great when you have a hundred units, and you have property managers there because you have so much other income coming in, that one or two people [who] are not paying you doesn't really do anything. But when you're only dealing with 10 properties, 15 or 20 properties, you feel those. It's easier to sympathize with them for now. Let them go for a month or two...

As Jeffrey explained, it is easier to sympathize with tenants, at least for a period of time, than to evict. Many landlords were sympathetic to the struggles some tenants faced. The ability to empathize with tenants was, for many landlords, a reason to work with tenants first to find ways to avoid filing for an eviction. Although sympathy for tenants varied across the landlords we interviewed, the realities of the costs associated with vacancies, turnovers, and evictions were widely acknowledged. For many landlords, it was simply a rational business decision to work with tenants rather than file an eviction. Even for landlords emotionally invested in, and sympathetic to, the struggles some of their tenants faced, the reality of the business was always present, and no landlord we interviewed could keep a tenant who did not pay rent indefinitely.

### ***Small-Scale Landlords Compared With Corporate Real Estate Companies***

The differences in scale and organizational structure between small-scale landlords and corporate real estate companies are important for understanding the likelihood that landlords will work with tenants. If small-scale landlords often find it practical to work with tenants, as our research suggests, large rental real estate companies do not generally practice these approaches and thus are far more likely to evict struggling tenants (Garboden & Rosen, 2019; Immergluck et al., 2019; Raymond et al., 2016, 2018; Seymour & Akers, 2019; Sternlieb, 1966). Numerous studies have focused on the differences between small-scale landlords and large rental real estate companies. For example, Gilderbloom and Appelbaum (1988), mirroring early findings by Sternlieb (1966), found that amateur landlords were more flexible when setting rents, dealing with vacancies, and negotiating with tenants compared with professional real estate companies who followed more routine practices.

Regarding eviction practices, Garboden and Rosen (2019) found that more professional landlords with larger holdings follow a strict and routine eviction process. Immergluck et al. (2019) found that large rental companies file for eviction at a much higher rate than small-scale landlords do, and similarly, Raymond et al. (2016) found that institutional investors and large rental real estate companies are far more likely to evict tenants than small-scale landlords are. Compared with the flexible and variable ways small-scale landlords in our study dealt with tenants, the research shows that large real estate companies operate with standardized procedures—when rent is late, late fees are applied; if tenants fail to pay rent, then steps to evict are taken.

Another major distinction between small-scale landlords and large rental real estate companies is their relative vulnerability to extended vacancies of units. Generally, the overall profitability of large real estate companies is not as vulnerable to the losses incurred from protracted vacancies. In fact, for larger rental real estate companies, it is more important to maintain, if not increase, rents than it is to have all units rented (Gilderbloom & Appelbaum, 1988). Larger companies spread the risk of vacancy across hundreds or thousands of units, thus diluting the costs of vacancy. This same logic does not apply to small-scale landlords who are highly vulnerable to the losses associated with protracted vacancies of units. A small-scale landlord could watch as one unit sits vacant for four months, wiping out the profitability of that unit for an entire year. The relative position of small-scale landlords in regional housing markets is such that they experience very different pressures than large real estate companies do. The pressure to maintain full occupancy makes small-scale landlords more likely than large rental real estate companies to work with tenants.

### *The Unequal Power Dynamics of Working With Tenants*

Although many landlords with whom we spoke expressed feeling victimized by tenants who did not pay rent or damaged property, and felt the Philadelphia court system was skewed against them, it is critical to point out that the agreement to rent a home involves a relationship of unequal power that advantages the landlord (Chisholm, Howden-Chapman, & Fougere, 2018; Desmond & Wilmers, 2019; Garboden & Rosen, 2019; Hartman & Robinson, 2003; Purser, 2016; Rosen, 2014; Rosenblatt & DeLuca, 2012). The decision to work with tenants to avoid evictions, while perceived to be advantageous to tenants, is almost exclusively made by landlords. And if landlords felt it was not cost effective, or if they were fed up dealing with tenants they deemed problematic, they always had the right to use eviction as a means of forced displacement, and the courts could still be used to recoup back rent. Strategies such as exchanging services to make up for back rent might seem like mutually agreeable alternatives to evicting struggling tenants, but these services are mostly performed under the table, and the bartering of services may not reflect the fair market value of the services rendered. Also, under such arrangements there is generally little recourse against exploitative landlords. However, tenants who were struggling to pay rent, dealing with medical issues, or enduring family problems had few choices but to work with landlords—as long as landlords were willing to work with them. Although recently Philadelphia City Council has passed bills intended to balance some of the inequity of power between landlords and tenants, it is still far from an even playing field (Brey, 2018; McCabe, 2019; Terruso, 2019).

## **Discussion**

The findings in this article provide a snapshot of the process by which some landlords in Philadelphia attempted to avoid evicting struggling tenants. The landlords we interviewed expressed a consistent desire to avoid evicting tenants if alternatives were available. Working with tenants included developing payment plans so that tenants could catch up on back rent, changing the terms of a lease including rental rates, exchanging services in lieu of rent, and offering assistance or referrals to social service resources. Our respondents consistently framed the importance of communication as a prerequisite for working with tenants to avoid eviction. Finally, when landlords believed they had exhausted these options, some employed a technique of paying tenants to vacate, a practice

referred to as cash for keys. Although not all landlords in Philadelphia work with tenants, the ones that do provide a chance for struggling tenants to remain in their homes.

These findings fill a gap in research focusing on landlord–tenant interactions and evictions and provide empirical evidence from the landlord’s perspective—the supply side of the rental housing market. Although eviction rates, geographic patterns of eviction, tenant vulnerabilities, and outcomes of eviction have recently received more attention in scholarly research (Desmond, 2016; Garboden & Rosen, 2018, 2019; Garboden et al., 2018; Greif, 2018; Rosen, 2014), the ways by which landlords attempt to avoid evicting tenants and the reasons for doing so have received less attention. For instance, some research studying landlord practices and perceptions has documented various ways that eviction is used as a threat to control tenants (Garboden & Rosen, 2018), the distrust many landlords have toward their tenants (Greif, 2018), and how eviction-related conflicts are passed by landlords to eviction crews made up of other low-income people (Purser, 2016). Other research has documented the trend of large rental real estate companies evicting people en masse (Immergluck et al., 2019; Raymond et al., 2016). Similarly, research focusing on low-income renters has found that evictions and landlord neglect are major factors contributing to displacement and housing insecurity (DeLuca, Wood, & Rosenblatt, 2019; Rosenblatt & DeLuca, 2012), and that the reverse is also true—supportive, positive relationships with landlords increase renters’ housing stability (Boyd et al., 2010). Our findings add to research focusing on landlords, evictions, and rental housing by showing the various strategies used by landlords to keep tenants who are delinquent on their rent or otherwise violating the terms of the lease in their homes. We show some of the motivational factors behind these decisions that drive landlords to seek out alternatives to eviction.

### ***Policy Implications***

Philadelphia’s eviction crisis demands solutions, and important implications for policy responses can be derived from these findings. Landlords have complex views about how and when eviction should be used as a method to remove tenants; for many landlords we interviewed, evictions were the method of last resort. Thus, understanding more about landlord–tenant interactions and the structural forces shaping landlords’ choices to be flexible with struggling tenants is important for designing policies representative of the needs of both. We argue that the interactional nature of the landlord–tenant relationship should be given more consideration in policy discussions. As rental housing policy changes are discussed in Philadelphia and in other cities, it is crucial to recognize that the interactional experiences between landlords and tenants are not simply a business interaction, but a personal, human interaction in which regular, effective communication matters and can greatly impact the outcomes of eviction processes. Therefore, policy efforts to encourage best practices around communication would be mutually beneficial for landlords and tenants.

Although the landlords with whom we spoke felt that the Philadelphia court system was biased against them, the body of research on landlord–tenant court systems does not validate these claims (Garboden & Rosen, 2019; Immergluck et al., 2019; Raymond et al., 2016). Nevertheless, if landlords view courts or city policies as being tenant friendly, this might shape landlords’ willingness to employ alternative strategies to filing evictions. For example, right to counsel legislation, which many cities are now adopting, is a primary example of why landlords view courts as too tenant friendly. Not only do right to counsel policies provide legal aid to many facing eviction, these policies also affect landlord perceptions of courts regarding the ease of carrying out an eviction.

Our findings point to the importance of small-scale landlords in regional housing markets, especially for low-income tenants. But as neoliberal housing policies and gentrification continue to reshape urban housing markets, rents will increase as the demand for housing and space intensifies, thus constraining access to housing for low-income renters. For instance, Chizeck (2016) found that between 2000 and 2014, Philadelphia’s share of low-income rental housing decreased by 20%, and in

gentrifying neighborhoods the decrease in rental housing was “five times the rate of non-gentrifying neighborhoods” (p. 2). If small-scale landlords themselves become victims of these market pressures and liquidate their properties as large rental real estate companies expand, then the flexibility and negotiation between small-scale landlords and low-income and struggling renters will become less common. Thus, it is crucial that rental housing policy consider the impact of economic pressures on small-scale landlords and their role in urban housing markets.

### ***Suggestions for Future Research***

There are many avenues for future research to explore based on the findings in this article. Our goal in using qualitative methods was to show the ways landlords framed various situations in which they attempted to avoid eviction and the processes used by landlords to work with tenants. Our focus on process and framing means our findings are limited in their generalizability. Therefore, future research should consider using a systematic approach to collecting data on the themes, frames, and processes we found, and study the impact of these processes from the tenants’ perspective, as well as conduct analyses in other geographic contexts. More research is also needed to understand landlords’ perspectives on, and reactions to, tenants’ rights policies, and their effect on landlord–tenant interactions and eviction trends. Additionally, more research is necessary to understand the pressures faced by small-scale landlords as cities look to gentrification and big development to rescue their depleted tax coffers.

Future research on eviction and housing displacement should take into account the off-the-books forms of residential displacement outlined in this article. For example, one of the more dubious strategies used by landlords to avoid evicting tenants was cash for keys: paying tenants to vacate. The landlords who used these off-the-books inducements framed them as amicable alternatives which benefited both parties; landlords got possession of their units quickly and tenants could vacate without reprisal, and in some cases receive some money. Most importantly, tenants avoided having an eviction on their record. Whereas avoiding having an eviction on their record was perceived as preferable, the reality is that even if tenants were given a small sum of money to vacate, or did not repay back rent, they were still displaced from their homes. Off-the-books evictions are evictions nonetheless, and they contribute to patterns of displacement and housing insecurity for the most vulnerable Americans (Desmond, 2016). However, since these strategies are by design meant to avoid courts, they are not recorded and thus are not recognized in official eviction rates. Therefore, our understanding of America’s eviction crisis is lacking these off-the-books evictions, thereby diminishing the perceived severity of the crisis. Neighborhood displacement and housing insecurity are primary outcomes of eviction—whether on the record or off the books. Thus, although cash for keys is likely preferable for many tenants to a formal eviction, it nonetheless exacerbates the crisis of housing insecurity for low-income renters. Therefore, more research is needed to better estimate rates, and understand the prevalence and consequences, of these off-the-books evictions.

### **Notes**

1. All respondent names are pseudonyms.
2. Data collection occurred prior to Philadelphia passing two bills designed to protect tenants from unwarranted evictions. The first was the Good Cause eviction law, which requires landlords to justify filing an eviction, and the second was the Right to Counsel legislation, which provides a lawyer to low-income residents who are being evicted.

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## Notes on Contributors

**John Balzarini** is an associate professor in the Department of Sociology & Criminal Justice at Delaware State University. His research focuses on urban and community sociology, landlords, and gentrification.

**Melody L. Boyd** is an associate professor of sociology at SUNY Brockport. Her research focuses on urban communities, inequality, housing policy, and families.

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