

EVICTED IN OREGON

EVICITION DEFENSE & DIVERSION RESEARCH MONTHLY DATA BRIEF: November, 2022

This report includes data on FED filings only; it does not capture termination notices at the start of the eviction process. This report is up to date as of December 19, 2022. Numbers may change as court records are updated.

NEW EVICITION CASES FILED

CASES FILED

THIS MONTH (November 2022)

Multnomah	Oregon
751	2,079

THIS YEAR (2022)

Multnomah	Oregon
5,720	16,388

CAUSES LISTED ON THE NOTICE

THIS MONTH (November 2022)

	Multnomah	Oregon
Nonpayment	91% (681)	86% (1,794)
No-cause	1% (5)	2% (39)
For-cause	8% (59)	10% (199)
Landlord-based	0% (3)	1% (30)
Tenant Notice	0% (1)	1% (11)
Others	0% (2)	0% (6)

THIS YEAR (2022)

	Multnomah	Oregon
Nonpayment	82% (4,668)	76% (12,388)
No-cause	1% (39)	3% (541)
For-cause	15% (878)	17% (2,721)
Landlord-based	1% (39)	3% (453)
Tenant Notice	2% (88)	1% (225)
Others	0% (8)	0% (60)

Data Source: Eviction cases reviewed by the Oregon Law Center Eviction Defense Project. Dataset excludes some FED filings, including commercial cases, employment based evictions, post-foreclosure cases and others.

Prepared by the Eviction Defense and Diversion Research team at PSU on June 14, 2023
Available online at pdx.edu/urban-studies/oregon-evictions-monthly-data
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WHAT HAPPEND IN EVICTION COURT THIS MONTH: November 2022

When an eviction complaint is filed, the court schedules a First Appearance hearing. For the majority of cases, this is the only hearing that will be held. At this hearing, cases can conclude with a dismissal or judgment of eviction by default, use a stipulated agreement to avoid going to trial, or be continued by setting a date for the next hearing, either a second hearing or a trial. This portion of the data brief provides a snapshot of the cases whose initial appearances were scheduled this month.

NUMBER OF CASES THAT WENT TO COURT

Multnomah	Oregon
852	2,346

RATES OF LEGAL REPRESENTATION

	Multnomah	Oregon
Landlord has a Lawyer	35% (296)	31% (717)
Tenant has a Lawyer	10% (88)	7% (174)

INITIAL OUTCOMES & PROCEDURAL STEPS

	Multnomah	Oregon
Dismissed (Without a Trial)	31% (264)	28% (665)
Judgment of Eviction by Default (Tenant Failure to Appear)	18% (154)	19% (438)
Stipulated Agreement Reached	45% (386)	44% (1,039)
Scheduled for Trial	4% (37)	6% (144)
Rescheduled for a New Hearing	1% (9)	2% (40)
Others	0% (2)	1% (20)

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OUTCOMES FOR CASES THAT APPEARED IN COURT THIS YEAR: 2022

Although many cases only have one hearing, it can be weeks or months before a case reaches its final outcome. This data brief reports the cumulative aggregate outcomes for cases that had their initial appearance this year. The dataset used for this report does not track if cases that use stipulated agreements end by dismissal or judgment of eviction, and therefore stipulated agreements are categorized as Final Outcome Unknown. Excludes cases that have a future hearing scheduled.

NUMBER OF CASES THAT APPEARED IN COURT

Multnomah	Oregon
5,223	15,519

FINAL OUTCOME UNKNOWN

	Multnomah	Oregon
Stipulated Agreement Reached	29% (1,502)	33% (5,059)
Safe Harbor (SB891 Set Over)	0% (2)	0% (5)
Other	0% (15)	1% (101)

DISMISSED

	Multnomah	Oregon
Dismissed (Without a Trial)	43% (2,270)	36% (5,623)
Dismissed (Tenant Won at Trial)	1% (35)	2% (283)

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	Multnomah	Oregon
Judgment of Eviction by Default (Tenant Failure to Appear)	24% (1,234)	24% (3,765)
Judgment of Eviction (Landlord Won at Trial)	3% (165)	4% (683)

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RATES OF LEGAL REPRESENTATION

	Multnomah	Oregon
Landlord has a Lawyer	50% (2,636)	37% (5,698)
Tenant has a Lawyer	10% (526)	8% (1,304)

Definitions

Dismissed (Without a Trial): Cases can be dismissed without a trial at the plaintiff's request, at the discretion of a judge, and on rare occasions on a successful motion by the tenant. It is unclear what led to the dismissal in most of these cases, but likely include cases where the issue was resolved, back rent was paid, the tenant moved, the tenant agreed to move in exchange for the case being dismissed, or the judge found a procedural flaw in the case. This category includes cases where the tenant was displaced by the eviction process.

Judgment of Eviction by Default (Tenant Failure to Appear): The tenant (defendant) did not appear in court and as a result, a judgment of eviction is entered against them by default.

Stipulated Agreement: Court enforced agreement which sets conditions of compliance in order for the case to be dismissed at a later date. Common conditions include a payment plan, a moveout date, and/or changes in behavior. This category includes cases where the tenant was displaced by the eviction process. If the terms of the agreement are not satisfied, the landlord can file a Declaration of Non-compliance, which triggers a hearing and potentially an eviction judgment.

Safe Harbor (SB891 Set Over): Under SB891, a case can be postponed —'set over'—if the tenant applied for emergency rent assistance and that application was verified by the landlord. The case is not dismissed, but it remains open and is rescheduled for a new hearing after October 1, 2022. After the Safe Harbor period, these cases will proceed until a final outcome is achieved.

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