

# **Stout's Independent Evaluation of Eviction Free Milwaukee**

For the Period:  
September 1, 2021 through September 30, 2024

January 21, 2025

## Key Findings

- From September 1, 2021 through September 30, 2024, Eviction Free Milwaukee (EFM) attorneys assisted 10,574 households (28,211 individuals) with 15,642 adults and 12,569 children.
- EFM attorneys assisted clients in achieving approximately 70% of their case goals since EFM began in September 2021. From September 2021 through December 2022 (the period of Stout’s first independent evaluation of EFM), EFM attorneys assisted clients in achieving approximately 73% of their case goals. When clients’ stated goals were not achieved, EFM attorneys worked to limit the potential of the client experiencing disruptive displacement.<sup>1</sup>
- In calendar year 2023, there were approximately 14,000 eviction filings in Milwaukee County, and in calendar year 2024, there were approximately 12,800 eviction filings in Milwaukee County.
- On August 8, 2024, Community Advocates paused accepting new applications for rent assistance for City of Milwaukee residents due to limited remaining funding.<sup>2</sup> As such, the ability to resolve certain cases with the use of rental assistance funds was significantly impaired.
- Feedback from landlords and landlords’ counsel in Milwaukee continues to reinforce: (1) the ongoing need for sustained rent assistance and financial support for tenants; (2) most landlords do not want to use the eviction process; (3) better communication between tenants and landlords could assist with resolving issues before needing to provide notice or file an eviction complaint; and (4) there are opportunities for landlords, landlord counsel, and tenant counsel to collaborate on strategies to avoid eviction filings.
- Approximately 74% of EFM clients identified as female. Of the 74% of EFM clients who identified as female, approximately 80% also identified as Black or African

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<sup>1</sup> Stout uses the phrase “disruptive displacement” to capture outcomes of cases beyond “winning” and “losing” and “evicted” or “not evicted.” For example, there may be circumstances where tenants did not have a formal eviction writ of restitution executed against them and therefore were not displaced but still have experienced disruption in their lives because of just the eviction filing and/or eviction proceeding. There may also be circumstances where a tenant needs to move but having access to legal counsel and being represented by a lawyer during the eviction proceeding minimizes the disruption that the move may have had on the tenant’s household. Stout has found the phrase “disruptive displacement” to be helpful in demonstrating the variety of circumstances tenants experience and the impact of counsel in assisting with navigating a complex, high-stakes legal proceeding. Local advocates may use alternative terminology to describe the outcomes of cases and the impacts to tenants.

<sup>2</sup> <https://communityadvocates.net/what-we-do/rent-assistance-2024.html>

American. Approximately 52% of Milwaukee residents identify as female, and approximately 39% identify as Black or African American.<sup>3</sup>

- Approximately 78% of all EFM clients identified as Black or African American, approximately 10% identified as White, approximately 5% identified as Hispanic or Latino, approximately 5% identified as Multi-racial, and approximately 2% identified as another race or ethnicity. Approximately 39% of Milwaukee residents identify as Black or African American, approximately 32% identify as White, approximately 11% identify as Hispanic or Latino, approximately 12% identify as Multi-racial, and approximately 5% identify as another race or ethnicity.<sup>4</sup>
- Approximately 63% of EFM clients had household incomes at or below 100% of the Federal Poverty Level (FPL).
- Approximately 85% of EFM clients wanted to stay in their home. The most common reason clients cited in wanting to stay in their home was having nowhere else to go (84%).
- Approximately 15% of EFM clients owed \$1,000 or less in back rent based on the amount owed stated in the eviction complaint. Approximately 44% of EFM clients owed \$1,001 to \$2,000 in back rent.
- Since December 1, 2023 (when new data elements began to be collected), approximately 18% of EFM clients had been previously represented by an EFM attorney in the past 12 months (as of the date of the client's intake).
- Stout estimates that for every dollar spent on EFM through September 30, 2024, Milwaukee has likely realized at least \$4.66 in potential fiscal impacts and economic benefits (consistent with Stout's findings in other jurisdictions). The total estimated fiscal impacts and economic benefits from September 1, 2021 through September 30, 2024 is \$23.3 million.

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<sup>3</sup> 2023 5-Year American Community Survey. United States Census Bureau.

<sup>4</sup> Ibid.

## Second Annual Milwaukee Landlord-Tenant Symposium

Since Stout began evaluating EFM in September 2021, it has worked to incorporate the perspectives of landlords, their counsel, and property managers into its independent evaluation.

On January 30, 2024, Legal Aid convened a second collaborative meeting of landlords, landlord counsel, property managers/agents, tenant counsel, and local housing resource providers, which Stout facilitated. There were nearly 20 attendees, and the purpose of the meeting was to reflect on the past 3 years of EFM and share feedback on and discuss opportunities for collaboration. Attendees shared feedback, challenges, and opportunities related to EFM and Milwaukee's eviction ecosystem. Themes from the conversation included:

- There is an ongoing need for sustained rent assistance and financial support for low-income tenants, particularly in cases filed for non-payment of rent where there are no procedural defects and no legal defenses available to the tenant.
  - Landlords and their counsel acknowledge many eviction filings can be resolved (and even prevented) through effectively administered rent assistance or financial support. However, there are also eviction filings involving more complex issues and disputes for which tenant representation is essential.
- Most landlords do not want to use the eviction process and are seeking tenants who maintain the property and pay rent on time. The eviction process can be costly, resulting in many landlords trying to work with tenants to avoid having to file an eviction.
- Poor communication between tenants and landlords can create unnecessary challenges leading to an eviction notice and complaint.
- More educational resources for tenants and landlords (particularly for small, “mom and pop” landlords) explaining each party’s responsibilities and rights, as well as the eviction process could assist in preventing or resolving issues before an eviction complaint is filed.
- There are opportunities for landlords, landlord counsel, and tenant counsel to collaboratively develop a rent abatement schedule similar to those used in other jurisdictions in Wisconsin.
- Joint petitions may be a mechanism for avoiding eviction filings in certain situations.
  - Stakeholders described the opportunity for a landlord and tenant (or their counsel) to develop an agreement before the landlord files an eviction and

present the agreement to the court, requesting the court have jurisdiction over the agreement.

- The purpose of the agreement would be to avoid an eviction filing and outline the terms to which the landlord and tenant agreed. The stakeholders indicated this approach would eliminate the adversarial nature of a court proceeding because there are not (yet) parties to litigation, however, asking the court to have jurisdiction over the agreement creates accountability and leaves the pathway for an eviction filing open should the landlord need to commence proceedings.

The discussion reinforced the complex, interconnected, and multifaceted nature of evictions, housing stability, and the relationship between landlords and tenants. This unique convening in Milwaukee again demonstrated the commitment of local stakeholders (who can be adversarial at times) to work collaboratively toward solutions and a recognition of alignment on important topics such as sustained rent assistance, communication challenges, the need for education and outreach materials, habitability concerns, and strategies for eviction filing prevention.

### Client Goals and Goals Achieved

During the intake interview process, EFM attorneys ask clients about their goals for their case. Generally, only clients who receive extensive services complete the full intake/interview process and have stated goals recorded. For cases opened and closed between September 1, 2021 and September 30, 2024, EFM attorneys assisted clients in achieving approximately 70% of their case goals.

The 3 most common goals and the frequency of the goal being achieved are shown below.

<b>Cases Opened and Closed – September 1, 2021 to September 30, 2024</b>			
<b>Client Goal</b>	<b># of Clients with Goal</b>	<b>% of Clients with Goal<sup>5</sup></b>	<b>Frequency Goal Was Achieved</b>
Prevent eviction judgment	2,691	78%	75%
Seal eviction record	2,411	70%	67%
Prevent involuntary move	1,981	57%	66%

Clients may have multiple goals for their case. Approximately 97% of clients who communicated multiple goals for their case included “prevent eviction judgment” or “prevent involuntary move” as one of their goals. Between September 1, 2021, and September 30, 2024, the proportion of closed cases by the number of goals was as follows:

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<sup>5</sup> Total will sum to more than 100% as clients can have more than one goal for their case.

Number of Goals	Percentage of Cases
1	3%
2	16%
3	46%
4	25%
5	7%
6+	3%

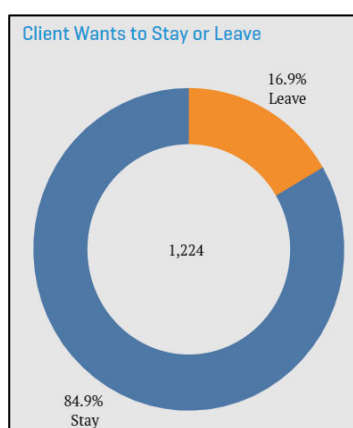
Clients' ability to pay back some or all the rent owed, as well as their desire to stay or leave their home, influenced the goals clients identified. Clients who could not pay any of the back rent owed were more likely to have the goal of securing rent assistance (31%) compared to clients who indicated they could pay back some or all the back rent owed (19%). Additionally, clients who did not want to stay in their home were more likely to have the goal of securing time to move (18%) and less likely to have the goal of preventing an involuntary move (47%) compared to clients who wanted to stay in their home (6% had the goal of securing more time to move, and 87% had the goal of preventing an involuntary move).

### Analysis of New Data Elements

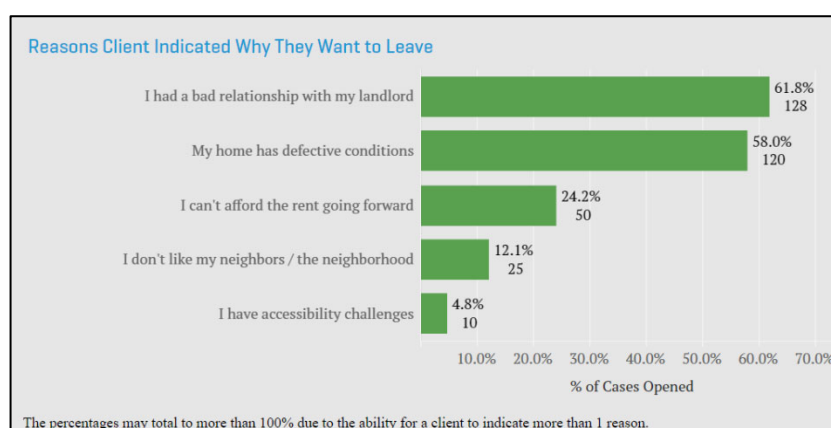
Beginning in December 2023, Legal Aid added new data elements to be collected during the client intake / interview process. The following new data elements and analyses are only for EFM cases opened between December 1, 2023 and September 30, 2024.

#### *Whether Client Wants to Stay or Move and Reasons Why*

Approximately 85% of clients indicated they wanted to stay in their home (Figure 1).<sup>6</sup> The desire of clients wanting to stay in their home was consistent across demographics, housing type, presence of children in the household, employment status, and FPL.



**Figure 1**

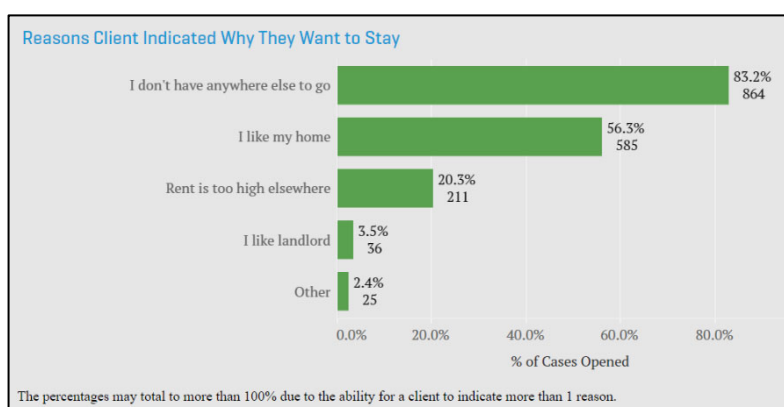


**Figure 2**

<sup>6</sup> Total sums to more than 100% due to repeat clients having different responses on different intakes.

Clients who did not want to stay in their home most frequently cited a poor relationship with their landlord as the reason they did not want to stay in their home (approximately 62%). Additional reasons clients identified for not wanting to stay in their home included defective conditions (e.g., mold, pests, broken appliances), inability to afford the rent going forward, issues with neighbors, and accessibility challenges that made it difficult to continue living in their home. See Figure 2.<sup>7</sup>

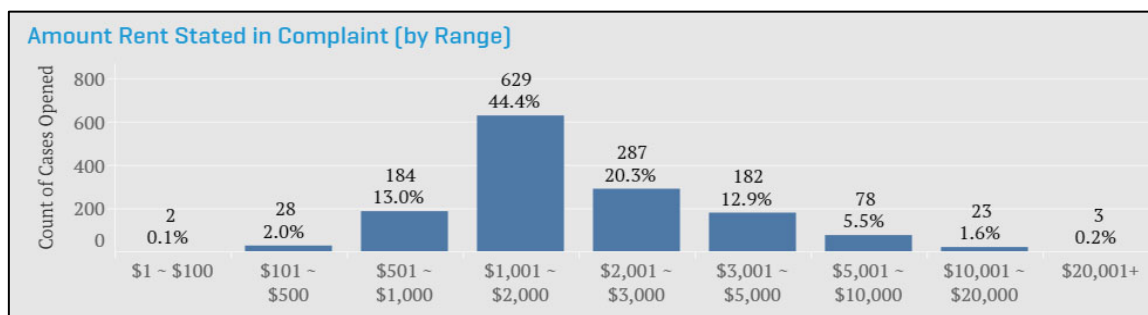
Clients who wanted to stay in their home most frequently indicated they had nowhere else to go as the reason they wanted to stay in their home (approximately 83%). Additional reasons clients identified for wanting to stay in their home included they liked their home, the high cost of rent elsewhere, and a positive relationship with their landlord. See Figure 3.<sup>8</sup>



**Figure 3**

### *Amounts of Past Due Rent Stated in the Eviction Complaint*

Approximately 15% of EFM clients owed \$1,000 or less in back rent based on the amount owed stated in the eviction complaint. Approximately 44% of EFM clients owed \$1,001 to \$2,000 in back rent. Figure 4 shows the distribution of amounts of back rent owed as alleged in eviction complaints.



**Figure 4**

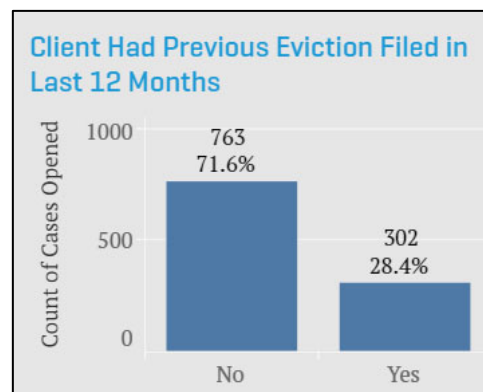
<sup>7</sup> The percentages may total more than 100% due to the ability for a client to indicate more than one reason.

<sup>8</sup> Ibid.

EFM clients who owed \$2,001 to \$3,000 in back rent most frequently experienced an eviction filing in the prior 12 months (36%). Approximately 20% of EFM clients who indicated their home had defective conditions owed more than \$3,000 in back rent compared to approximately 13% of EFM clients who indicated their home did not have defective conditions.

#### *Frequency Clients Experienced Prior Eviction Filing*

Approximately 28% of EFM clients had an eviction filing against them in the past year (Figure 5).

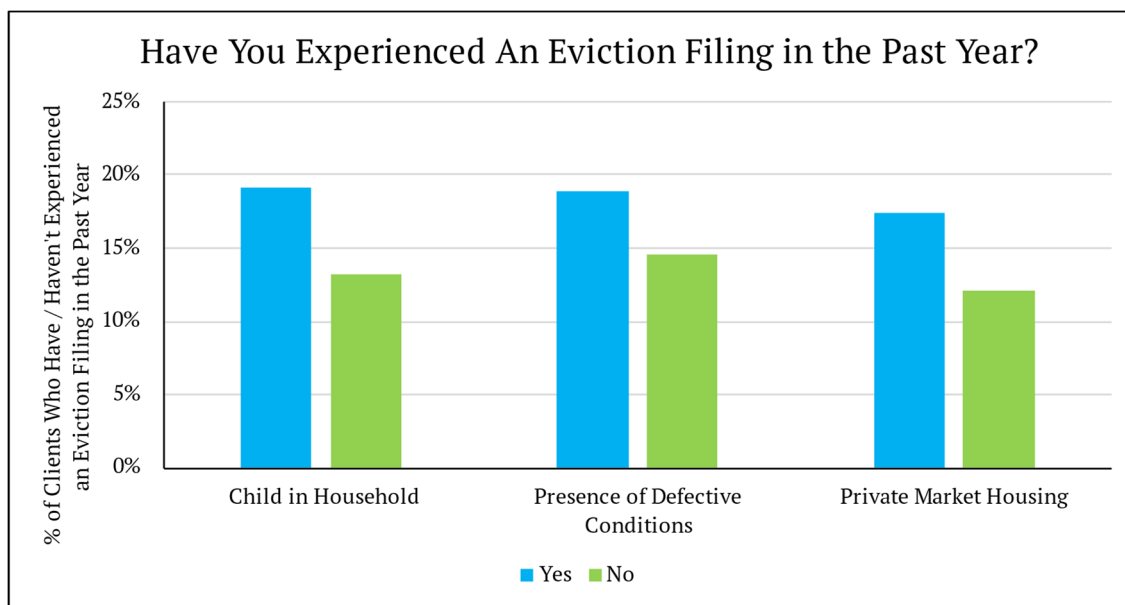


**Figure 5**

There are several household / housing characteristics among clients who have experienced a past eviction filing in the past year that differ compared to clients who have not experienced a past eviction filing, such as:

- Approximately 19% of clients with at least 1 child in the household indicated they experienced an eviction filing in the past year, and approximately 13% of households without children indicated they had received an eviction filing previously.
- Approximately 19% of clients who indicated the presence of defective conditions in their home indicated they experienced an eviction filing in the past year previously compared to 15% of clients who did not report defective conditions in their home.
- Approximately 17% of clients who lived in private market housing indicated they had experienced an eviction filing in the past year compared to 12% of clients who lived in public or subsidized housing.
- Approximately 23% of clients with at least 1 child in the household, who indicated the presence of defective conditions in the household, and lived in private market housing experienced an eviction filing in the past year.

See Figure 6. These trends were consistent for clients who had an eviction filing against them in the past year.



**Figure 6**

### Analysis of Eviction Filing Data

Stout built a library of data visualizations and analyses using data Wisconsin Circuit Court made available through the Consolidated Court Automation Programs (CCAP).<sup>9</sup> Stout's data visualizations and analyses are limited to eviction filings in Milwaukee County coded as "Small Claims, Eviction" and filed from January 1, 2023 through December 31, 2024. The data visualizations and analyses are limited to eviction filings from January 1, 2023 through December 31, 2024 because if an eviction case is dismissed and there is no money judgment on the docket, the eviction case will be removed from the public record after 2 years.<sup>10</sup> The removal of these cases from the public record limits Stout's ability to accurately analyze eviction filings prior to 2023. In addition, cases that are sealed will have limited information available in CCAP which also limits the ability to comprehensively complete certain analyses that may depend on detailed or supplemental information from the dockets.

<sup>9</sup> The metrics throughout this section using CCAP data are presented by Stout, not the Wisconsin court system or CCAP. The data or information provided is not the official records of the court. Data provided from WCCA Information may not reflect the most current disposition activity. Users should verify the data and information by consulting the official court record maintained by the court in question. The official custodian of all official circuit court records in Wisconsin is the clerk of circuit court or register in probate.

<sup>10</sup> See [Tenant Resource Center](#) or [Wis. Stat. 758.20\(2\)\(a\)](#)

### Number of Eviction Filings in Milwaukee County

In calendar year 2023, there were approximately 14,000 eviction filings in Milwaukee County, and in calendar year 2024, there were approximately 12,800 eviction filings in Milwaukee County – an estimated decrease of approximately 8% from 2023 to 2024. Figure 7 shows the 2023 and 2024 eviction filing volumes by year, and Figure 8 shows the trends by month and year. The decrease in annual eviction filings and monthly eviction filings from September through December 2024 relative to filings in September 2023 through December 2023 appears to be largely related a change in filings by Berrada Properties.<sup>11</sup> From September 2023 through December 2023, Berrada Properties filed 1,011 evictions. During the same period in 2024, Berrada Properties filed 71 evictions.

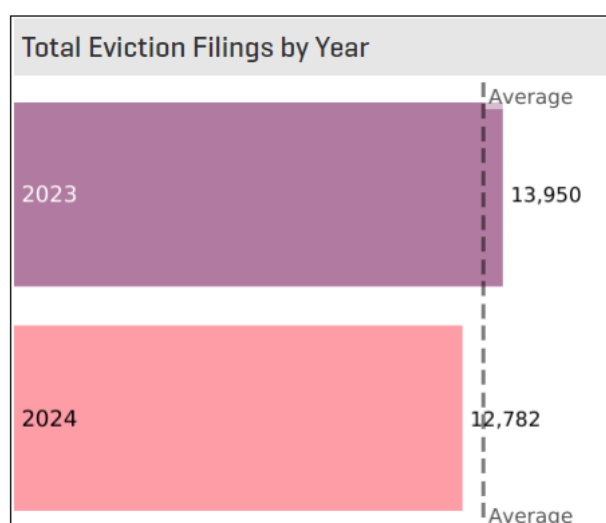


Figure 7

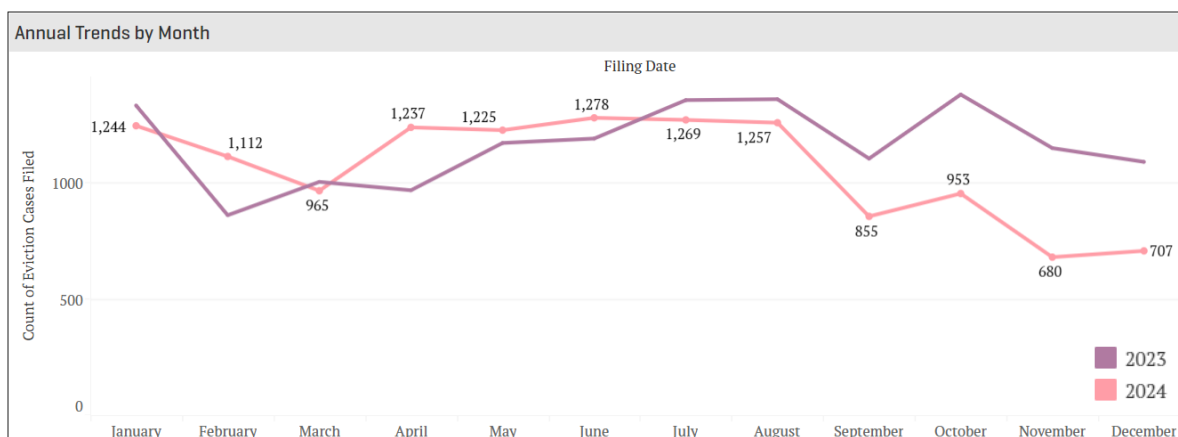
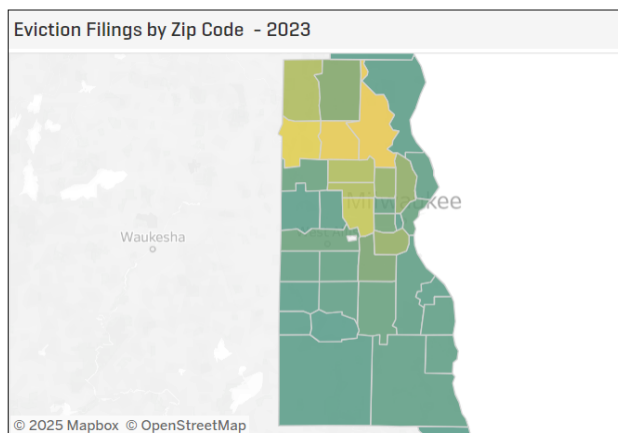


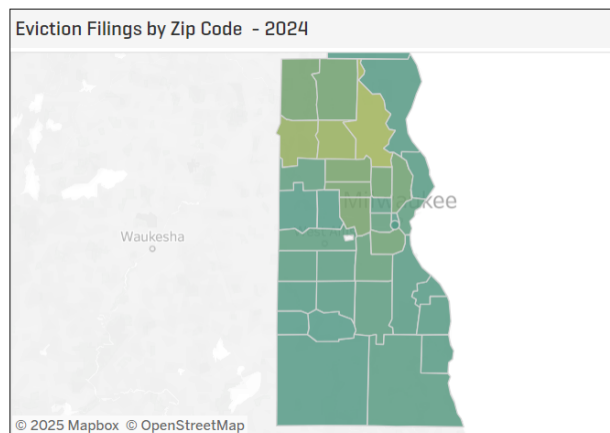
Figure 8

<sup>11</sup> A portion of the decrease may also be attributed to Legal Aid’s monthly sealing clinics. See “Adjacent Impacts Resulting from EFM” section below for additional details.

Eviction filings in Milwaukee County in 2023 and 2024 were concentrated in zip codes within the City of Milwaukee (e.g. 53209, 53218, 53225). Figures 9 and 10 show eviction filings in Milwaukee County by zip code in calendar year 2023 and 2024, respectively.



**Figure 9**



**Figure 10**

In 2023, Berrada Properties filed the most evictions (2,849) of any landlord in Milwaukee County, approximately 20% of all eviction filings during the year. Despite a significant decrease in eviction filings from September through December 2024, Berrada Properties filed 2,334 eviction filings in 2024, approximately 18% of all eviction filings during the year. In both 2023 and 2024, the landlord that filed the second most evictions account for approximately 2% of all eviction filings in Milwaukee County.

#### *Estimated EFM Eligible Tenant Assisted Rate*

Stout used data provided by Legal Aid Society of Milwaukee, the number of eviction filings in each Milwaukee County zip code in 2023 and 2024, and publicly available research/data to develop an estimate of the percentage of EFM eligible tenants who were assisted by EFM attorneys. The estimated assisted rate is the percentage of EFM eligible households receiving extensive service, limited representation, and brief advice and counsel. The estimated assisted rate is a broader metric than the representation rate and is intended to demonstrate the percentage of EFM eligible households that have received some form of assistance from EFM. Data from CCAP for eviction filings does not include information regarding household income. Therefore, the number and percentage of households that may be eligible for representation through EFM must be estimated.

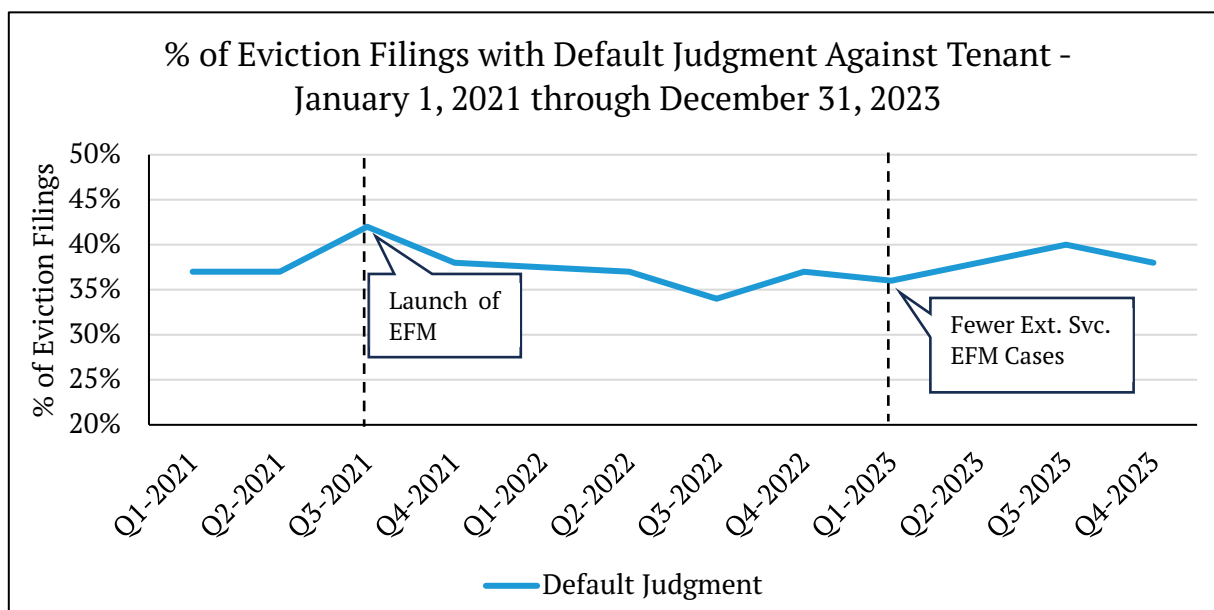
Stout performed 2 analyses to estimate the percentage of EFM eligible tenants who received assistance (see Figure 11). Stout estimated 27% of income-eligible tenants were assisted from January 1, 2023 through September 30, 2024, and approximately 42% of income-eligible tenants who appeared for their case were assisted during the same period. Stout generally observes assistances rates of 25% to 35% in other eviction right / access to counsel jurisdictions.

<b>Income-Eligible Tenant Assisted Rate Relative to Landlord-Tenant Filings in Milwaukee County</b>	
Landlord-Tenant Filings in Milwaukee County (January 1, 2023 to September 30, 2024)	19,335
Estimated % of Income-Eligible Tenants	69%
Estimated # of Income-Eligible Tenants	13,341
Number of Income-Eligible Tenants Assisted	3,592
Estimated % of Income-Eligible Tenants Assisted	27%
<b>Income-Eligible Tenant Assisted Rate Relative to Tenants Who Appear for Their Case in Milwaukee County</b>	
Landlord-Tenant Filings in Milwaukee County (January 1, 2023 to September 30, 2024)	19,335
Estimated % of Income-Eligible Tenants	69%
Estimated # of Income-Eligible Tenants	13,341
Estimated % of Income-Eligible Tenants Who Appear for Their Case	64%
Estimated # of Income-Eligible Tenants Who Appear for Their Case	8,538
Number of Income-Eligible Tenants Assisted	3,592
Estimated % of Income-Eligible Tenants Who Appeared for Their Case and Were Assisted	42%

**Figure 11**

### *Changes in Default Judgment Dispositions*

Figure 12 shows the percentage of eviction filings from January 2021 through December 2023 by quarter with court-entered case dispositions of default judgments. As EFM decreased the frequency with which it was providing extensive services, the percentage of cases with default judgments increased.



**Figure 12**

From January to September 2021, the percentage of cases where the tenant received a default judgment ranged from 37% to 42% quarterly. As tenant representation increased through EFM, the percentage of cases where the tenant received a default judgment ranged from 34% to 38% quarterly. That is, as tenant representation increased, the

percentage of cases where the tenant received a default judgment decreased. Beginning in the first quarter of 2023, the number of EFM cases receiving extensive services decreased, and the percentage of cases where the tenant received a default judgment ranged from 38% to 40% quarterly – an increase compared to the period where full representation was more widely available (September 2021 through June 2023). Based on feedback from Legal Aid, the lack of sustained rent assistance to assist with resolving non-payment cases and an increase in eviction filings by the Housing Authority of the City of Milwaukee contributed to EFM experiencing a resource constraint that limited its ability to provide extensive services in cases that it would otherwise have provided that level of service.

### Estimated Public Fiscal and Economic Impacts of EFM

The impacts and costs of eviction to states, cities, counties, and municipalities are significant and multi-dimensional. Substantial reporting has documented the negative impact of evictions on individuals, families, and communities. While many of these impacts are not yet quantifiable, clear fiscal and economic impacts of eviction exist. This section details preliminary directional estimates of the fiscal impact that EFM has had on publicly funded social safety net systems in Milwaukee County. These estimates of fiscal impact provide insight into how representation in eviction cases could mitigate these costs and assist in redirecting the funds to other efforts undertaken by Milwaukee County.

Additionally, it is important to consider the economic impacts to key stakeholders in the eviction process, including landlords. Stout understands and appreciates the eviction process can be costly for landlords, and landlords are often attempting to resolve issues with tenants as close to rent delinquency as possible. However, an alternative process to the adversarial civil justice system does not seem accessible to many landlords, leaving landlords with the view that there are few options for recourse.

Landlords throughout the country with whom Stout has engaged have explained the potential economic impacts and costs that they experience when filing evictions, which many use as a measure of last resort. The economic impacts and costs they communicate include but are not limited to attorney fees, filing fees, and other court costs; the time and costs associated with tenant screening and due diligence; costs of repair and maintenance to units needing to be re-rented; costs associated with vacant units; and the economic impact of tenants not paying rent as their eviction case is being litigated (and not being able to collect on unpaid rent). The scope of Stout's evaluation does not include quantification of these costs or the impact of unpaid money judgments, as Stout's evaluation is associated with the impact of EFM. The factors above could apply in all eviction cases, regardless of whether an EFM attorney is involved, and could be mitigated in certain of the cases in which an EFM attorney is involved. As noted above,

EFM attorneys are only involved in approximately 27% to 42% of filed eviction cases in Milwaukee.

Stout relied on client interview data from Legal Aid to develop these estimates. Client circumstances and case characteristics often vary. Because of this variation, not all interview questions are applicable to all EFM clients and, therefore, are not asked of all clients. While the goal is to ask all EFM clients all questions applicable to their circumstances and cases, EFM staff exercise discretion during the interview process. There may be interview questions not asked based on a client's lived experiences, comfort level with certain topics, and/or having to recount traumatic experiences.

A primary data element for Stout's preliminary fiscal impact calculations is how clients answered the interview question, "If you have to move, where could your household stay?" Answers to this question inform the degree to which clients would need assistance from publicly funded social safety net systems in Milwaukee County and the likelihood of other fiscal impacts.

Stout used the percentage of clients for whom EFM attorneys were able to assist clients in achieving their goals (for the 3 most frequently cited goals) as the basis for the percentage of clients who likely avoided disruptive displacement because of EFM. Using this data, Stout estimates EFM attorneys assisted in avoiding disruptive displacement for approximately 70% of clients.

Stout uses the phrase "disruptive displacement" to capture outcomes of cases beyond "winning" and "losing." For example, there may be circumstances where tenants did not have a formal eviction order issued against them and, therefore, were not displaced. However, they have still experienced disruption in their lives because of the landlord-tenant filing, such as entering a negotiated settlement with unrealistic payment terms resulting in additional financial strain. Additionally, there may be circumstances where a tenant loses possession of their home but is granted extra time to vacate. In this situation, disruptive displacement may have been avoided because of the additional time to find alternative, suitable housing.

Stout estimated that Milwaukee County likely realized fiscal benefits and economic activity benefits of at least approximately \$23.3 million between September 1, 2021 and September 30, 2024 as a result of EFM. Total expenses incurred operating EFM from September 1, 2021 and September 30, 2024 were approximately \$5 million. For every \$1 spent on EFM, Milwaukee County likely realized at least \$4.66 in fiscal benefits and economic activity benefits. In its evaluations and cost-benefit analyses (pre- and post-legislation) of eviction right to counsel programs throughout the country, Stout has found the estimated dollar value of a right to counsel generally ranges from \$2.76 to \$4.80.

The estimated quantifiable fiscal benefits and economic activity benefits in Milwaukee County between September 1, 2021 and September 30, 2024 were:

- Housing social safety net responses - \$8.7 million
- Economic value preserved by retaining residency in Milwaukee- \$3.3 million
- Fiscal impacts of responding to crimes - \$2.5 million
- Out-of-home foster care placements - \$2.4 million
- Retained federal and state funding for Milwaukee Public Schools - \$1.8 million
- Economic benefits of increased educational attainment – \$1.5 million
- Economic benefits of employment stability - \$1.3 million
- Additional Medicaid spending on health care - \$900,000
- Fiscal impacts of criminalizing homelessness - \$900,000

#### *Estimated Housing Social Safety Net Responses*

While homelessness may not always be experienced immediately following an eviction, eviction remains a leading cause of homelessness. According to data from the United States Department of Housing and Urban Development’s annual Point in Time Count, the number of people experiencing homelessness in Milwaukee decreased approximately 16% between January 2023 and January 2024, and the number of people experiencing unsheltered homelessness decreased approximately 36%.<sup>12</sup> During the same period, the number of people experiencing homelessness in Racine decreased approximately 6% and increased approximately 18% in Madison.<sup>13</sup> Stout understands that Racine and Madison have not had the benefit of expanded resources dedicated to providing eviction defense and representation as Milwaukee has. James Mathy, Housing Administration at the Milwaukee County Department of Health and Human Services, recently stated publicly:

*“Proud of the work that was done in our community to show a sizable decrease in homelessness again in the 2024 Point In Time count. That’s the good news. The bad news is that it will be extremely challenging to maintain this moving forward. Milwaukee County has thrown everything but the kitchen sink at unsheltered homelessness this past few years but we do not have the resources to keep up. The Milwaukee County Housing Authority has utilized as many vouchers as possible but we are now at capacity. The same can be said with our other County resources. In 2025 we are going to need all hands on deck from the general public and private funders. The only way to reduce homelessness is permanent housing and services. Homeless outreach should always be housing focused*

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<sup>12</sup> Kilmer, Graham. “Homelessness Decreases in Milwaukee, Increases Nationally.” Urban Milwaukee. December 2024.

<sup>13</sup> Pandey, Maia. “The national homeless population reached record levels in 2024, but dipped in Milwaukee, HUD says.” Milwaukee Journal Sentinel. January 2025.

*and yes there are ways to donate to assist people in paying rent and security deposits to end their cycle of homelessness. I hope everyone is up to the big challenge in front of us.”<sup>14</sup>*

Stout estimates that 3,654 households in Milwaukee County avoided disruptive displacement from September 1, 2021 through September 30, 2024 as a result of EFM. Using data collected by Legal Aid Society of Milwaukee, Stout estimates that approximately 23% of these households would require a housing social safety net response, such as emergency shelter, but for EFM.

Based on publicly available data the United States Department of Housing and Urban Development, the estimated annual cost to provide temporary housing and social services for these client households in Milwaukee County would have been approximately \$8,400 per household if Legal Aid Society of Milwaukee had been unable to avoid disruptive displacement for these clients.<sup>15</sup> Applying the estimated \$8,400 per household cost to the approximately 852 households who likely would have required a housing social safety net response but for EFM results in a fiscal impact of approximately \$7.2 million for Milwaukee County.

A portion of the households that would have required a housing social safety net response would also likely have needed a second housing social safety net response. According to data from the Institute for Community Alliances, an estimated 21% of households that exit emergency shelters return to homelessness and require additional emergency housing.<sup>16</sup> Applying the 21% metric to the 852 households that would have experienced homelessness results in 179 households experiencing homelessness a second time and requiring a subsequent housing social safety net program. At an estimated cost of \$8,400 per household for housing social safety net programs, the cost of 179 households requiring a second housing social safety net program would have been approximately \$1.5 million.

The total estimated fiscal impact to Milwaukee County related to people avoiding homelessness and requiring a housing social safety net response due to EFM is approximately \$8.7 million.

#### *Economic Value Preserved by Retaining Residency in Milwaukee*

Using data collected by Legal Aid Society of Milwaukee, Stout estimates that approximately 4% of EFM clients indicated that they would migrate out of Milwaukee

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<sup>14</sup> Shared via LinkedIn: [https://www.linkedin.com/posts/james-mathy-40a61096\\_mke-county-homelessness-decreases-in-milwaukee-activity-7280588348157505536-KneK/](https://www.linkedin.com/posts/james-mathy-40a61096_mke-county-homelessness-decreases-in-milwaukee-activity-7280588348157505536-KneK/)

<sup>15</sup> Fiscal Year 2023 Continuum of Care Competition Homeless Assistance Award Report: Milwaukee County.

<sup>16</sup> <https://icalliances.org/wisconsin-point-in-time-data>.

County if they were forced to move. Using this metric and an estimated \$12,000 in economic value (e.g., federal funding, state and local tax revenue, dollars spent in state and local economies) per person,<sup>17</sup> Stout estimates that Milwaukee County has likely retained \$3.3 million in economic value from September 1, 2021 through September 30, 2024 as a result of EFM.

#### *Estimated Fiscal Impact of Responding to Crimes*

Stout estimated the criminal justice fiscal impacts associated with a reduction in crime from fewer evictions. Research has demonstrated how higher rates of eviction correspond to higher rates of homicide, robbery, and burglary.<sup>18</sup> As previously described, Stout estimates that 3,654 households in Milwaukee likely avoided disruptive displacement and remained residents of Milwaukee. Researchers have found a correlation between eviction and crimes associated with procuring shelter, forcible entry, and vehicle theft.<sup>19</sup> Using these findings, Stout estimates that Milwaukee County avoided approximately 296 forcible entries and 55 vehicle thefts from September 1, 2021 through September 30, 2024 as a result of EFM.

There is a breadth of research estimating the cost of crime, from which a range of criminal justice cost per crime calculations have been created. The public cost associated with a vehicle theft was calculated to be approximately \$3,900 (\$5,700 in 2024 dollars) and a burglary to be approximately \$4,100 (\$6,000 in 2024 dollars).<sup>20</sup> Applying these estimated societal costs of crime to the forcible entries and vehicle thefts avoided because of EFM results in an estimated fiscal impact of \$2.5 million to Milwaukee County.<sup>21</sup>

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<sup>17</sup> Estimated by Stout using data from: (1) Aguilar, Louis. "Detroit population continues to decline, according to Census estimate." Bridge Michigan. May 2020. (2) "State and Local Expenditures." Urban Institute. 2018. Referencing State & Local Government Finance Data Query System and Data from U.S. Census Bureau, Annual Survey of State and Local Government Finances, Volume 4. 2020. (3) Present value of investments that cities and states have been willing to make to attract new residents.

<sup>18</sup> Semenza, D. C., Stansfield, R., Grosholz, J. M., & Link, N. W. "Eviction and Crime: A Neighborhood Analysis in Philadelphia." Crime & Delinquency. August 2022.

<sup>19</sup> Falcone, Stefano. "Forcing Out, Breaking In: Do Evictions Increase Crime." July 2022. See Table B.1.

<sup>20</sup> McCollister KE, French MT, Fang H. The Cost of Crime to Society: New Crime-Specific Estimates for Policy and Program Evaluation. Drug Alcohol Depend. April 2010. Criminal justice costs include police protection costs, legal and adjudication costs, and correctional costs. Stout used the Bureau of Labor Statistics Consumer Price Index Inflation Calculator to adjust the dollar amounts to 2024 dollars. <https://data.bls.gov/cgi-bin/cpicalc.pl>.

<sup>21</sup> Current research only calculates the cost of burglary. For a crime to be considered a burglary, there must be forcible entry. Federal Bureau of Investigation. Uniform Crime Report, Burglary.

### *Out-of-home Foster Care Placement*

According to data published by the Wisconsin Department of Children and Families, there were approximately 1,800 children in foster care in Milwaukee County in 2022.<sup>22</sup> Data collected during the interview process indicated there were 5,459 children living in EFM client households from September 31, 2021 through September 30, 2024. EFM attorneys avoided disruptive displacement for approximately 70% of EFM clients during the same period. An estimated 4% of children from evicted families are placed in foster care and generally remain there for at least one year.<sup>23</sup> Stout estimated that Milwaukee County spends approximately \$110,000 annually per child in foster care based on daily rates for out-of-home foster care placement published by the Wisconsin Department of Children and Families. Through EFM attorneys' representation of EFM clients, Milwaukee County likely avoided \$2.4 million in costs related to out-of-home foster care from September 1, 2021 through September 30, 2024, and an estimated 147 Milwaukee County children may have avoided entrance into the foster care system.

### *Federal and State Funding Retained for Milwaukee County Schools*

During the 2022-2023 school year, approximately 4,000 students in Milwaukee Public Schools were unstably housed.<sup>24</sup> Because Milwaukee Public Schools is allocated federal and state funding based on the number of students enrolled, when students leave Milwaukee County, funding is lost.

Of the 2,776 EFM households that avoided disruptive displacement from September 1, 2021 through September 30, 2024 Stout estimates approximately 4% would have migrated out of Milwaukee County due to disruptive displacement if not for EFM.<sup>25</sup> Applying the 4% metric to the 3,654 households results in an estimated 136 EFM households that would likely have moved outside of Milwaukee County if disruptively displaced. Approximately 45% of EFM households have children, and on average there are 2 children per household, resulting in an estimated 122 children who would have likely migrated out of Milwaukee County if they experienced disruptive displacement.

Milwaukee Public Schools receives approximately \$2,500 in federal funding and \$9,900 in state funding per student enrolled.<sup>26</sup> The estimated 122 children who would have likely

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<sup>22</sup> "Wisconsin Out-of-Home Care (OHC) Report." Wisconsin Department of Children and Families. December 2023.

<sup>23</sup> Berg, Lisa and Brannstrom, Lars. "Evicted children and subsequent placement in out-of-home care: a cohort study." Public Library of Science. April 18, 2018.

<sup>24</sup> Milwaukee Public Schools Homeless Education Program.

<sup>25</sup> Based on Stout's findings in its independent evaluations of Cleveland, Oklahoma, and Connecticut's eviction access to counsel programs.

<sup>26</sup> Estimated using data from Summary of Public Elementary-Secondary School System Finances by State for Fiscal Year 2021 compiled by the United States Census Bureau.

migrated out of Milwaukee County because of disruptive displacement would have resulted in an estimated \$1.8 million in lost federal and state funding for Milwaukee Public Schools.

### *Estimated Economic Benefits of Increased Educational Attainment*

School-aged children who experience homelessness face significant mental and physical health challenges that prevent students from focusing on their education.<sup>27</sup> These challenges can result in students experiencing homelessness becoming chronically absent from school,<sup>28</sup> which significantly reduces their likelihood of completing high school after just one year of chronic absenteeism.<sup>29</sup>

Of the 3,821 estimated children in households that avoided disruptive displacement, Stout estimates that at least 188 likely would not have completed high school as a result of this disruptive displacement. Research has demonstrated that not completing high school significantly impacts an individual's future income.<sup>30</sup> Additionally, higher levels of education are associated with a lower likelihood of welfare dependency.<sup>31</sup> Graduating from high school and college has been shown to significantly decrease the likelihood of needing future cash and housing assistance,<sup>32</sup> applying for and utilizing SNAP benefits,<sup>33</sup> and being enrolled in Medicaid.<sup>34</sup>

Stout estimated the annual reduction in social safety net spending due to increased educational attainment resulting from EFM increasing housing stability in Milwaukee County. Stout estimates that increased educational attainment results in approximately \$8,000 less social safety net spending per year per individual in Wisconsin.<sup>35</sup> Applying this framework to the 188 children who likely would not have completed high school but

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<sup>27</sup> Bishop, Joseph. "Our Children Can't Wait: The Urgency of Reinventing Education Policy in America"

<sup>28</sup> "Chronic Absenteeism Among Students Experiencing Homelessness in America." National Center for Homeless Education. 2022.

<sup>29</sup> "Research Brief: Chronic Absenteeism." University of Utah, Utah Education Policy Center. 2012.

<sup>30</sup> Tamborini, et al. "Education and Lifetime Earnings in the United States." Demography. 2016.

<sup>31</sup> Cliff, Aiden. "The Relationship Between Education and Welfare Dependency." The Brown Journal of Philosophy, Politics & Economics.

<sup>32</sup> Waldfogel, J, et al. "Public Assistance Programs: How Much Could be Saved with Improved Education?" Working Paper for Education Symposium, Teacher's College, Columbia University. 2005.

<sup>33</sup> Rank, M and Hirschl, T. "The Likelihood of Using Food Stamps During the Adult Years." Journal of Nutrition and Behavior. 2005.

<sup>34</sup> Muennig, P. "Health Returns to Educational Interventions." Columbia University. 2005.

<sup>35</sup> Stout estimated per household social safety net benefits expenditures on individuals who do not graduate high school in Milwaukee using per household state and federal welfare expenditures on individuals who do not graduate high school.

for EFM results in \$1.5 million in reduced social safety net spending in Milwaukee County.

#### *Estimated Economic Benefits of Employment Stability*

Research has demonstrated the impact of eviction on employment stability, particularly the increased likelihood of a person experiencing job loss after being evicted. Of the estimated 3,654 households who avoided the high likelihood of disruptive displacement, Stout estimates that approximately 15% would likely have had their head of household experience job loss due to disruptive displacement caused by eviction. This estimation translates to potentially 423 households losing their primary source of income because of eviction-related disruptive displacement.

When individuals experience job loss and lose income, they may become eligible for social safety net benefits. Stout estimated the reduction in social safety net expenditures due to decreased job loss associated with eviction as a result of EFM. Stout estimates that the average low-income household, whose head-of-household experiences unemployment, receives \$3,000 in social safety net benefits over the course of their unemployment.<sup>36</sup> This results in approximately \$1.3 million in decreased social safety net benefits spending in Milwaukee County as a result of EFM.

#### *Estimated Additional Medicaid Spending on Healthcare*

A significant body of research has documented the connection between health and housing, and recent research has examined the link between eviction filing rates and mortality rates.<sup>37</sup> People experiencing homelessness, including those experiencing homelessness because of eviction or disruptive displacement, often utilize in-patient and emergency room care more frequently than people who are stably housed. Stout found in its independent evaluation of Cook County's (Chicago) Early Resolution Program that approximately 41% of clients facing eviction indicated that, if they were

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<sup>36</sup> Stout estimated per household social safety net benefits expenditure due to unemployment in Milwaukee using per household state and federal welfare expenditures. Not every individual will be approved for every social safety net benefit program, some social safety net benefits programs require children in the household or the household to be a single-parent household.

<sup>37</sup> Rao, Shreya et al. "Association of US County-Level Eviction Rates and All-Cause Mortality." National Library of Medicine. November 2022. The researchers analyzed 2016 eviction data for nearly 700 counties and found that eviction rates were significantly associated with all-cause mortality with the strongest associations observed in counties with the highest proportion of Black and female residents. All-cause mortality increased by approximately 9 deaths per 100,000 residents for every 1% increase in eviction rates.

not able to effectively resolve their case, they would likely experience increased stress and health concerns.

Of the estimated 8,349 individuals who avoided disruptive displacement, approximately 49% indicated they would experience homelessness in some form.<sup>38</sup> This translates to approximately 4,131 individuals who may have experienced homelessness in some form in Milwaukee County but for EFM. Using utilization rates of in-patient and emergency room care for people experiencing homelessness, average cost data, Medicaid enrollment, and the estimated portion of Medicaid funded by Milwaukee County, Stout estimates that Milwaukee County realized approximately \$900,000 in fiscal benefits associated with Medicaid as a result of EFM.

#### *Estimated Fiscal Impact of Criminalizing Homelessness*

Individuals experiencing homelessness are more likely to interact with police, be fined for quality-of-life crimes, and be arrested compared to housed individuals.<sup>39</sup> A study on homelessness in Minnesota found that 12% of adults experiencing homelessness had been incarcerated within the past year.<sup>40</sup> Similarly, a study conducted in New York City found that 23% of emergency shelter residents had been incarcerated within the past 2 years.<sup>41</sup> Stout used the 12% metric identified in the Minnesota study, given its annual basis, to estimate that approximately 12% of individuals who would have experienced unsheltered homelessness would have also experienced incarceration but for EFM in Milwaukee County. Approximately 2,240 adults indicated they would experience homelessness if they were disruptively displaced. Applying the 12% metric to the 2,240 adults who may have experienced homelessness and incarceration results in approximately 269 individuals who would have faced incarceration but for EFM.

The average length of a jail-stay in Milwaukee County in 2022 was approximately 40 days.<sup>42</sup> The cost of one night in jail in Milwaukee County is approximately \$85.<sup>43</sup> Using

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<sup>38</sup> This includes individuals who would have stayed in a hotel, motel, or in their car following disruptive displacement.

<sup>39</sup> Speiglmán, Richard, Green, Rex S. "Homeless and Non-Homeless Arrestees: Distinctions in Prevalence and in Sociodemographic, Drug Use, and Arrest Characteristics Across DUF Sites." National Institute of Justice. 1999. See also Herring, Chris. "Complaint-Oriented Policing: Regulating Homelessness in Public Space." American Sociological Association. 2019; Bailey, Madeline, Crew, Erica, Reeve, Madz. "No Access to Justice: Breaking the Cycle of Homelessness and Jail." Vera Institute of Justice. 2020; Zakrisson, Tanya, Hamel, Paul, Hwang, Stephen. "Homeless People's Trust and Interactions with Police and Paramedics." Journal of Urban Health. 2004.

<sup>40</sup> "Overview of Homelessness in Minnesota 2006." Wilder Research. 2007.

<sup>41</sup> Metraux, Stephen, Caterina, Roman, Cho, Richard. "Incarceration and Homelessness." US Department of Veterans Affairs. 2008.

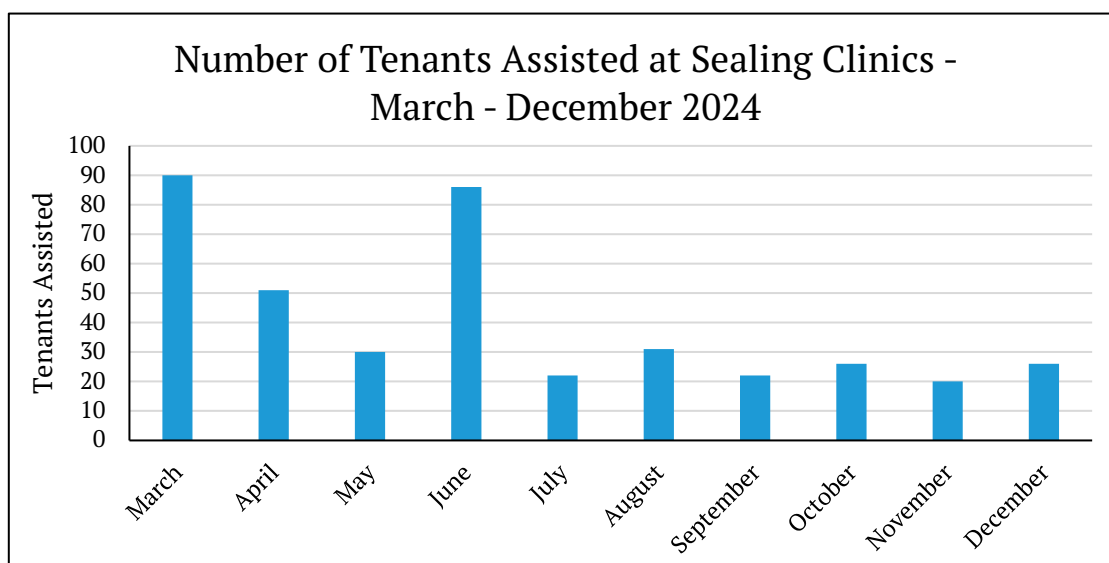
<sup>42</sup> State of Wisconsin. Adult Corrections Expenditures: Average Daily Operating Expenditures per Inmate, by Adult Institution.

<sup>43</sup> Interview with Inspector Aaron Dobson. Tom Jenz, Shepard Express. November 15, 2022.

this data, Stout estimates that as a result of EFM, Milwaukee County likely realized fiscal impacts of approximately \$900,000 related to costs associated with criminalizing people experiencing homelessness.

### Adjacent Impacts Resulting from EFM

**Monthly Eviction Sealing Clinics.** In addition to representing tenants in eviction proceedings, Legal Aid hosted a monthly eviction sealing clinic since March 2024. Sealing eviction records can remove the filing from the public record, improving tenants' chances of securing further housing and preventing the possibility of a past eviction filing negatively impacting their credit or employment. Since March, Legal Aid attorneys assisted 404 Milwaukee tenants with sealing their eviction case. Figure 13 shows the monthly number of tenants assisted at the sealing clinics.



**Figure 13**

**The Intersection of Eviction and Wage Garnishment.** Evictions often involve adjacent legal issues for tenants. In 2022, an EFM attorney was contacted by 2 former eviction clients after they noticed their paychecks were being garnished by a past landlord. The attorney identified that neither of the tenants nor the court were aware of the landlord's attempt to garnish wages to satisfy eviction judgments against the tenants. Upon further investigation, the EFM attorney noticed inconsistencies in garnishment documents that were later deemed to be fraudulent and contacted the Milwaukee County District Attorney's Public Integrity Unit. That outreach launched an investigation by the unit, ultimately resulting in 18 felony counts against the landlord in 2023. In 2024, the sentencing judge imposed 2 years of probation for racketeering for forgery, mail fraud, and theft by fraud stemming from the fraudulent wage garnishment of the past EFM clients.

**Appellate Advocacy.** EFM attorneys’ appellate advocacy resulted in recognition of statutory and constitutional notice requirements for eviction filings involving Milwaukee’s largest landlord. In particular, in 2023 in the matter of *Berrada Properties 66, LLC v. All Other Occupants*, 408 Wis. 2d 543, 993 N.W.2d 179, the Wisconsin Court of Appeals found that Berrada Properties pled insufficient facts to support its eviction claims. The court remanded the case to the circuit court, reversing the order denying the tenant’s motion to dismiss, the judgment in favor of Berrada Properties, and the order for a writ of restitution. The Court remarked: “The fact that a tenant is served with a termination of tenancy notice, does not tell the tenant or the court the what, where, when, why, and how Berrada Properties is entitled to remove [the tenant] - it is not sufficient under Wisconsin’s notice pleadings rule.”

### 2023 Recommendations Update and Recommendations for a Sustainable EFM

Stout offers the following updates on recommendations from its 2023 Independent Evaluation of EFM:

Stout Recommendation	Status as of January 21, 2025
Support the development of a Tenant Advisory Council and a Rental Property Owner Advisory Council to gather feedback about and refine EFM. Developing a formal and regular process to collect feedback and brainstorm EFM refinements would create an iterative process that continually informs and enhances EFM for all parties involved.	Progress Made/Improvement Needed Legal Aid has convened 2 annual Landlord-Tenant Symposiums to seek feedback from Milwaukee landlords, landlord counsel, and other housing ecosystem stakeholders. Additional regular engagement and collaboration with the landlord community could assist in the ongoing implementation of EFM and identify other pathways to limiting the number of eviction filings and the impact of delinquency and eviction for tenants and landlords in Milwaukee.
Convert elements of case notes into structured data fields.	Complete/Ongoing Legal Aid worked with its case management system consultant to create several structured data elements based on commonly recorded case notes.
Continue daily mailings to residents receiving a summons/complaint, expand door-to-door canvassing, and develop and	Complete/Ongoing

implement an outreach strategy centered on local trusted messengers.	Legal Aid continues to conduct outreach to Milwaukee residents and leverages local trusted messengers.
Refine data collection and analysis to understand better previous evictions, amounts owed stated in notice, complaint, and how much client believes they owe, where clients would go if they had to move, if clients want to stay in their home, if client was represented by EFM in previous 12 months, the distribution of hours spent on EFM cases, the frequency with which and reasons why settlement agreements fail.	Progress Made/Improvement Needed  Legal Aid created structured data elements for many of the factors listed. Continued investment in the collection of these data elements may further enhance and inform the implementation of EFM.
Leverage data integrity dashboards to ensure client interview information is complete whenever possible, and cases are promptly closed.	Progress Made/Improvement Needed  Monthly case data reported to Stout is substantially complete, and cases are generally closed in a timely manner. Ongoing monitoring of this data will ensure its completeness and accuracy to facilitate meaningful analysis.
Develop and implement processes for ensuring attorney time is entered promptly.	Progress Made/Improvement Needed  Monthly case time data reported to Stout is substantially complete. Ongoing monitoring of this data will ensure its completeness and accuracy to facilitate meaningful analysis.

Based on Stout's final evaluation findings, it recommends the following activities be undertaken to sustain EFM:

- Collaborate with rental property owners, their counsel, agents, and property managers to address mutually agreed upon challenges and barriers within Milwaukee's eviction ecosystem, such as development of a rent abatement schedule, a joint stipulation to prevent eviction filings, and strategies for effective communication between tenants and landlords.
  - Initial Recommendation Date – 2023
  - Status – Progress Made/Improvement Needed

- Understand efforts that rental property owners are undertaking to work with tenants prior to filing an eviction (e.g., secure rental assistance, participate in pre-filing eviction diversion) and how these efforts may differ based on rental property owner typology (e.g., large corporate owners v. owners of 1-3 units). Stout has learned that rental property owners often try to work with tenants before filing an eviction, and the eviction filing is often perceived by rental property owners as a last resort. Eviction diversion and mediation programs (either pre- or post-filing) could significantly enhance the impact of EFM, particularly when the only issue is the non-payment of rent. These cases could be handled outside of the adversarial legal system, leaving cases with substantive legal issues and disputes of fact to be litigated within the adversarial legal system. EFM should also coordinate and collaborate with the court to integrate, to the extent possible, EFM with the National Center for State Court's Eviction Diversion Initiative in Milwaukee.<sup>44</sup>
  - Initial Recommendation Date – 2023
  - Status – Progress Made / Improvement Needed
- Refine data collection and analysis to understand better:
  - If a client is able to stay in their home at the conclusion of the case.
  - The frequency with which and reason(s) why settlement agreements fail in the months following their execution, which could be available through a client survey after the resolution of the case.
  - Whether there are defenses, and if so, what type.
    - Initial Recommendation Date – 2023
    - Status – Progress Made / Improvement Needed
- Explore the feasibility of a post-service client feedback mechanism. Client feedback post-representation may provide insights into external challenges clients are experiencing that contribute to ongoing housing insecurity for EFM clients, particularly EFM clients who have been represented by an EFM attorney in the past 12 months. The survey could also be deployed to clients who received advice and counsel or brief services to understand better the impact of these services on the resolution of their case and housing stability.

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<sup>44</sup> As of August 2024, EFM attorneys are tabling outside Small Claims court and assisting an additional 8-12 clients per week.

- Consider the role of housing navigators and other non-attorney staff as complements to attorneys and to assist with non-legal work. Housing navigators and non-attorney staff can complement the work of attorneys by addressing tenants' needs beyond legal representation, such as navigating public assistance processes, providing financial counseling, supporting clients with case management services, and connecting tenants to other community resources. Additionally, leveraging non-attorney staff can increase attorney capacity by enabling attorneys to undertake work requiring the specialized skills and knowledge of an attorney.
- Estimate the cost of a fully implemented sustainable EFM. The estimated cost of a fully implemented and sustainable EFM should consider reasonable attorney caseloads, competitive salaries and benefits, staffing ratios that support professional growth and development, and non-personnel costs associated with infrastructure, technology, office operations, recruiting and staff engagement, etc. Developing the estimated cost of a fully implemented and sustainable EFM can enable an adequately funded and scaled program as well as assist with identifying other services that may amplify EFM (e.g., case managers or social workers, low barrier rent assistance).