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Gale A. Brewer, Borough President

January 11, 2019

Janet DiFiore
Chief Judge
Office of Court Administration
25 Beaver Street - Rm. 852
New York, NY 10004

Dear Hon. Janet DiFiore:

The Manhattan Borough President Gale Brewer, BetaNYC, and the Housing Data Consortium are committed to using data and technology to address New York City's housing affordability crisis. We are writing to you to request that the Office of Court Administration publish a limited data feed of holdover and non-payment court filings, judgments, and warrant issuances on the New York State Open Data portal. Given the sensitivity of housing court data, the published feed should balance the need for both tenant privacy and data transparency.

Housing data transparency is important for both understanding the scope and scale of the housing crisis and for evidence-based program implementation. The publication of a dataset of executed eviction warrants on the New York City Open Data portal has made it possible to identify neighborhoods most impacted by evictions. This has shaped the roll out of the Right to Counsel Law and will make it possible to measure its impact over time.

But executed evictions only tell a part of the story. With the rent laws up for renewal in 2019, there is a need for data describing eviction filings, judgments, and warrants issued. These represent the three steps of the housing court process before an eviction warrant is executed, with displacement of rent regulated tenants occurring at each step.

While data access is important, there are negative consequences to unmitigated data transparency. Screening companies have long used OCA data feeds to erroneously measure landlord risk, leading to the proliferation of harmful tenant blacklists.

We understand that OCA tracks every event in every case in housing court and makes a stripped feed of that data available for sale. We would like to request the OCA publish housing court filings, judgments, and warrant data on the New York City Open Data portal, balancing data transparency and tenant privacy. This data should be published in a machine-readable format and updated with a frequency consistent with the data's collection. It should also be anonymized, with identifying information of tenants (such as names and unit numbers) removed. It should include:

Attributes for individual eviction filings:

- Index #
- BBL & Address of Defendant (No apartment number, to preserve tenant privacy)
- Filing Date
- Type of case (holdover or non-payment)
- \$ amount of suit (in non-payment)
- Whether the case has been Calendared

Attributes for individual eviction judgments:

- Index #
- BBL & Address of Defendant (No apartment number, to preserve tenant privacy)
- Judgment Date
- Whether judgments are because of a trial decision or because of a default/failure to answer
- Is judgment is a possessory judgment, a money judgment, or both
- \$ amount of judgment
- Whether the possessory judgment has been cleared
- Whether the money judgment has been cleared

Attributes for individual eviction warrants issued:

- Index #
- BBL & Address of Defendant (No apartment number, to preserve tenant privacy)
- Date of Warrant Issue
- Reason for Warrant Issuance

Thank you for your attention to this issue, and we look forward to discussing it further. Please contact my office with any questions about this request.

Sincerely,

Gale A. Brewer