

**SENATE JUDICIARY COMMITTEE**  
**Senator Thomas Umberg, Chair**  
**2025-2026 Regular Session**

SB 768 (Durazo)  
Version: April 10, 2025  
Hearing Date: April 22, 2025  
Fiscal: Yes  
Urgency: No  
AM

**SUBJECT**

Courts: data reporting

**DIGEST**

This bill requires individual county courts to report to the Judicial Council specified data on unlawful detainer cases filed on and after January 1, 2026, including the number of unlawful detainer cases filed each month, cases in which defendants or landlords were represented by counsel, and cases that were subject to trial or pre-trial judgment. The bill requires the Judicial Council to post this information in a publicly available electronic spreadsheet that is downloadable from its website.

**EXECUTIVE SUMMARY**

California is facing a housing crisis that has led to an increase in homelessness and housing instability for many renters. In June 2022, the statewide moratorium on evictions for nonpayment of rent, which was enacted during the COVID-19 pandemic, expired. As a result, evictions in the state increased in the ensuing years.<sup>1</sup> The author and sponsors of this bill argue that easily accessible data regarding evictions is essential to tracking and understanding eviction patterns and trends, and that this data will allow policy makers and advocates to construct targeted solutions to address the housing crisis in this state.

This bill is substantially similar to AB 875 (Gabriel, 2023), which passed this Committee on a vote of 11 to 0, but was ultimately vetoed by the Governor. The bill is sponsored by What We All Deserve. No timely opposition was received by the Committee.

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<sup>1</sup> Jeanne Kuang, *Across California, eviction cases have returned to – or surpassed – pre-pandemic levels*, CalMatters (Nov. 20, 2023), available at <https://calmatters.org/housing/homelessness/2023/11/california-evictions-post-pandemic/>.

## PROPOSED CHANGES TO THE LAW

Existing law establishes summary civil proceedings by which landlords may seek a court order for the eviction of tenants from their rental property, generally referred to as unlawful detainer. (Code Civ. Proc. § 1159 *et seq.*)

This bill:

- 1) Requires each superior court to report to the Judicial Council every month the total number of each of the following data points for unlawful detainer cases filed on and after January 1, 2026, aggregated by the ZIP Code of the premises in the lawsuit:
  - a) cases filed each month;
  - b) cases in which defendants were represented by counsel at case resolution, including but not limited to, at the point of settlement or the point when a decision was made at trial;
  - c) cases in which landlords were represented by counsel at case resolution, including but not limited to, at the point of settlement or the point when a decision was made at trial;
  - d) cases that were subject to default, stipulated, or other types of pretrial judgments;
  - e) cases that went to trial, and of those that went to trial, how many were a bench trial and how many were a jury trial;
  - f) cases that were dismissed before trial at the plaintiff's request; and
  - g) cases that resulted in judgment for the plaintiff or for the defendant.
  
- 2) Requires the Judicial Council to post the information gathered pursuant to 1), above, on its internet website in the format of a spreadsheet that may be downloaded.

## COMMENTS

### 1. Stated need for the bill

The author writes:

I am proud to author SB-768, which addresses the lack of comprehensive residential eviction data in California by requiring the Judicial Council to collect and publish key eviction statistics annually. Specifically, the bill mandates the collection of data on the number of eviction proceedings initiated, the number of tenants and landlords represented by counsel, and the geographical distribution of these cases. This data, made publicly accessible online, would provide essential insights into eviction trends, helping to inform more effective housing policies and solutions.

California's housing crisis has reached alarming levels. As of 2022, nearly one-third of renters in the state faced housing cost burdens, and by 2023, the homeless population had increased by 53% over the past decade. Evictions play a significant role in the path to homelessness, and understanding eviction patterns is critical to developing strategies to mitigate housing instability. However, eviction data is currently not publicly available, often requiring individual requests for access. This lack of transparency hampers efforts to track eviction trends and make data-driven decisions that can alleviate homelessness.

In the absence of precise, easily accessible data, policymakers and service providers are unable to effectively track where evictions are occurring, how many tenants have legal representation during these proceedings, or how trends are shifting over time. These gaps in information hinder the development of targeted interventions to address the root causes of housing instability and displacement. Without detailed data, it is difficult to assess the effectiveness of current policies and to create new ones that can protect vulnerable populations from eviction and homelessness.

This bill proposes that by publicly releasing eviction data, California can increase transparency and foster a better understanding of housing instability across the state. Having access to accurate, anonymized, and aggregated data will empower policymakers, local governments, and service providers to craft targeted, responsive policies and services that reduce homelessness, prevent displacement, and stabilize communities. Moreover, it will allow for a more proactive and equitable approach to addressing the state's housing crisis, ensuring that all Californians have access to stable, affordable housing.

## 2. Background

### *a. Unlawful detainer cases*

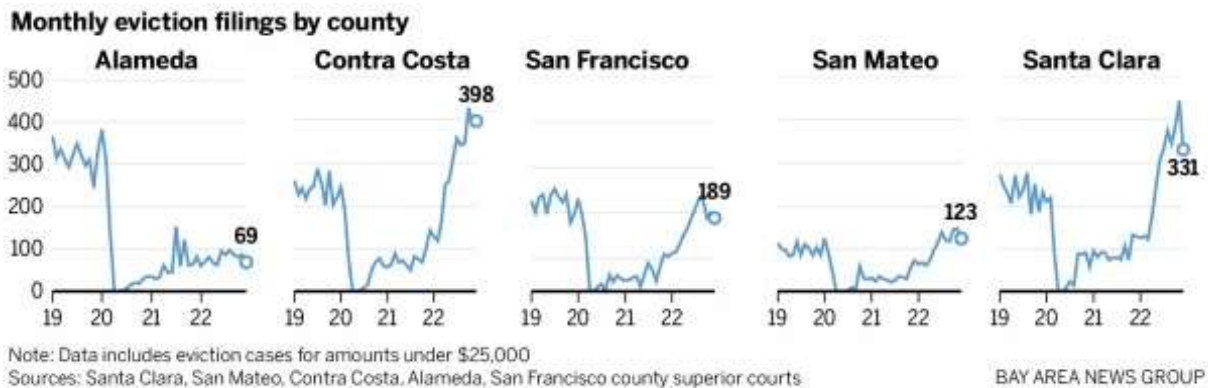
In California, almost all involuntary residential evictions must take place through the judicial process. Landlords may not simply kick a tenant out on their own. (Civ. Code § 789.3.) Instead, landlords must request an order from a judge. If, after giving the tenant an opportunity to respond, the judge agrees that the landlord is entitled to reclaim the rental property, the judge will issue a writ of possession in the landlord's favor. Sheriff's deputies then execute the writ of possession. First, they post a notice giving the tenants five days' advance warning of the impending lockout. Then, on the appointed day, the sheriff deputies will physically remove the tenants from the property if they have not left already, and standby while the locks are changed. These judicial proceedings are known as unlawful detainers and they are governed by their own special statutes, Code of Civil Procedure Sections 1159 to 1179(a).

*b. COVID-19 rental protections*

As part of its response to the financial fallout from the COVID-19 pandemic, California enacted the COVID-19 Tenant Relief Act (Act), which proposed a set of temporary measures designed to prevent widespread loss of housing through evictions and foreclosures resulting from the economic impacts of the COVID-19 pandemic. (AB 3088 (Chiu, Ch. 37, Stats. 2020.) At its core, the Act consisted of two components: (1) legal protections against eviction for nonpayment of rent; and (2) an emergency rental assistance program (ERAP) to compensate landlords for that unpaid rent. Since October 2021, these two components have been linked: landlords may proceed to evict tenants who have failed to pay rent, but only after properly demonstrating to the court that they unsuccessfully attempted to obtain emergency rental assistance to cover the debt owed to them. The statewide moratorium barring evictions for unpaid rent expired in June 2022.

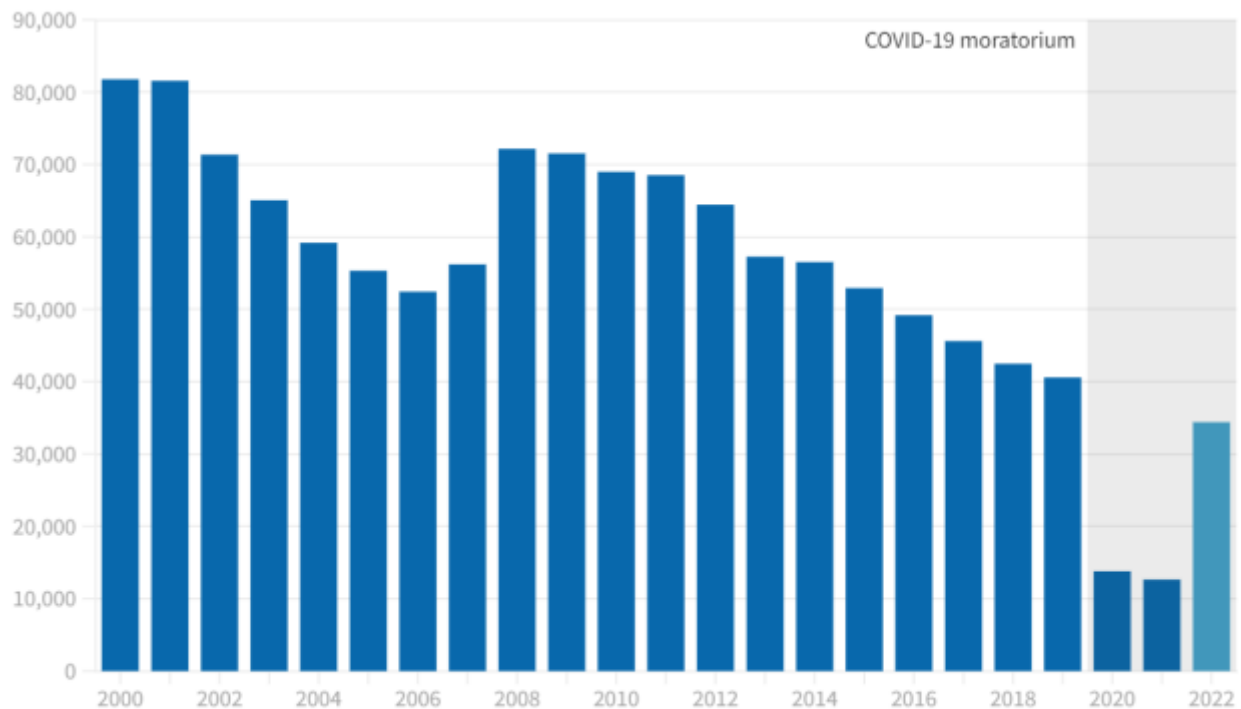
According to several reports, eviction filings skyrocketed after the expiration of the moratorium:

Bay Area Eviction Filings by County 2019-2022<sup>2</sup>



<sup>2</sup> Ethan Varian, *Evictions eclipsed pre-pandemic levels in these Bay Area counties as tenant protections expired*, (Nov. 22, 2023), available at <https://www.mercurynews.com/2023/02/12/evictions-eclipsed-pre-pandemic-levels-in-these-bay-area-counties-as-tenant-protections-expired/>.

Los Angeles County Eviction Filings 2000-2022<sup>3</sup>



Source: Los Angeles County via public records request by Kyle Nelson, UCLA

3. This bill requires reporting to the Judicial Council on information regarding unlawful detainer cases

This bill seeks to obtain data regarding unlawful detainer cases around the state with the hope that it can assist in the development of targeted interventions to address the root causes of housing instability and displacement. The bill requires individual county courts to transmit to the Judicial Council the following data for unlawful detainer cases filed on and after January 1, 2026, aggregated by the ZIP Code of the premises in the lawsuit:

- cases filed each month;
- cases in which defendants were represented by counsel at case resolution, including but not limited to, at the point of settlement or the point when a decision was made at trial;
- cases in which landlords were represented by counsel at case resolution, including but not limited to, at the point of settlement or the point when a decision was made at trial;
- cases that were subject to default, stipulated, or other types of pretrial judgments;

<sup>3</sup> Alejandra Reyes-Velarde, *Evictions rise, tenants scramble for help as LA County protections expire*, (Mar. 23, 2023), available at <https://calmatters.org/california-divide/2023/03/eviction-protection-la/>.

- cases that went to trial, and of those that went to trial, how many were a bench trial and how many were a jury trial;
- cases that were dismissed before trial at the plaintiff's request; and
- cases that resulted in judgment for the plaintiff or for the defendant, including the number of unlawful detainer cases filed each month, how many cases involved fee waivers, and how many defendants were actually represented by counsel.

The bill requires Judicial Council to post the data above on its website in the format of a spreadsheet that can be easily downloaded.

This bill is substantially similar to AB 875 (Gabriel, 2023), which passed this Committee on a vote of 11 to 0. AB 875 was vetoed by Governor Newsom stating:

I appreciate the author's long-standing commitment to increasing access and transparency in the justice system. That said, this bill could cost the state millions of dollars and must be considered as part of the annual budget process. In partnership with the Legislature, we enacted a budget that closed a shortfall of more than \$30 billion through balanced solutions that avoided deep program cuts and protected education, health care, climate, public safety, and social service programs that are relied on by millions of Californians. This year, however, the Legislature sent me bills outside of this budget process that, if all enacted, would add nearly \$19 billion of unaccounted costs in the budget, of which \$11 billion would be ongoing. With our state facing continuing economic risk and revenue uncertainty, it is important to remain disciplined when considering bills with significant fiscal implications, such as this measure.

#### 4. Statements in support

What We All Deserve, the sponsor of the bill, writes:

Since California does not publish thorough residential eviction data, trends and patterns in housing remain inaccessible to the general public. Reports from the Little Hoover Commission showed in 2022, nearly one-third of California owners were cost-burdened, and by 2023, our state's homeless population had grown by 53% compared to a decade prior. Individuals are far more likely to end up in homelessness following an eviction, and understanding eviction trends is key to local and statewide efforts to mitigate homelessness. However, ascertaining precise data regarding trends in eviction filings and geographic variation in evictions is very difficult. California's eviction data is currently available by request only, not through the state's judicial branch website.

Without precise data to know the number of evictions during a period of time, where the evictions are happening and how those numbers are changing,

policy makers and service providers cannot develop and implement the best solutions to these problems. To better develop, implement, and evaluate solutions to address this eviction crisis, Californians need eviction court filing data. While reforms to eviction laws to prevent the disclosure of individual case information are critical to the protection of low-income renters and their ability to obtain housing following an eviction, there is also a need for anonymized, aggregated data regarding evictions to better inform state and local policy solutions in this arena.

### **SUPPORT**

What We All Deserve (sponsor)  
Bet Tzedek Legal Services  
Coalition for Economic Survival  
Community Power Collective  
East Yard Communities for Environmental Justice  
Fideicomiso Comunitario Tierra Libre  
Inner City Law Center  
Keep LA Housed Coalition  
Los Angeles Renters' Right to Counsel Coalition  
Public Counsel  
Tenants Together

### **OPPOSITION**

None received

### **RELATED LEGISLATION**

Pending Legislation: None known.

Prior Legislation: AB 875 (Gabriel, 2023) was substantially similar to this bill. AB 875 was vetoed by Governor Newsom. (See Comment 3 for Governor's veto message.)

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