

Cruel court costs

Fees can push some to the brink of homelessness

A tenant is brought to court by his landlord for late payment of the rent. Within minutes, the tenant is ordered to make good on what he owes and do it fast or face eviction.

What this tenant may not have known before he walked into the halls of local justice is that his tab will automatically grow by about \$150 in court costs — whether his past-due rent was \$25 or \$225. In fact, in one out of four cases between 2014 and 2016, the past-due rent amount is less than half the total court judgment.

“It makes no sense,” opines one local district judge. “We’re beating up poor people. We’re taking a bad situation and making it worse.”

Post-Gazette reporters Christopher Huffaker and Kate Giamarise spent recent months in local district judge courtrooms, watching as the district justices dispatched dozens of landlord-tenant complaints, one after another, nearly always ruling in favor of the landlord.

On average, each case took about three minutes to decide. And for that three minutes of the court’s time, the loser in the case pays the \$150 tab.

Almost all the money goes to the state and is divvied among programs like “constable training” and “judicial computer project.”

The Administrative Office of Pennsylvania Courts and Allegheny County court administration said the court costs are a legislative mandate, passed in 1992.

“I’ve seen people come in here crying that maybe they can get caught up on the back rent, but the court costs are impossible,” the judge said. “And my hands are tied.”

Judges’ hands must be untied. The tenant-landlord law must be changed at the state level. An analysis should be done to ensure that the court filing fee is not functioning as a cash cow. The limited



means of a person teetering on the brink of homelessness should not be used to balance the budget of court administration.

Equally important, judges should be allowed to judge; a tenant should be allowed to present the facts of his situation and the judge respond with judiciousness: perhaps a payment schedule for court fees or a creative sentence that would allow a tenant to “work off” the fees.

For too many people, it would take just one calamity — a sickness, a car repair — to push him over the cliff and into homelessness. The descent and the cost of hitting bottom or being caught by the social safety net has a bigger price tag than the \$150 eviction filing fee.

Great minds are working on the problem. The Pittsburgh housing authority is piloting an eviction prevention program at one site. The Pittsburgh Foundation is hoping to make some policy recommendations on the issue next year. Input can’t come soon enough.

Until then, perhaps Pennsylvania’s state auditor can take a look at the books and verify that the court costs being levied against the nearly homeless aren’t paying for pencil pushers’ paper clips.