

Eviction Defense Handbook

Vol. 1312

**Housing/Eviction Defense & Solidarity
(HEDS Up!)**

**“ABOLITION
IS A
PRESENCE”**

- RUTH WILSON GILMORE

LAND ACKNOWLEDGEMENT

We are grateful for the land, air, and water that sustain us. We're especially grateful for the rivers and creeks as places that offer an oasis for so many people in this area. Grateful for the streams that form in the street when it rains as rivers guiding our steps. We acknowledge that settler colonialism is an ongoing process, and we hope this acknowledgement can be a step in recognizing the continued colonization of this land and its people, and the inadequacy of calling this place durham, north carolina.

As we reclaim this space here today, we acknowledge the violence that it took to colonize this land, to cultivate this land, to mine this land, to log this land and to "develop" this land. We would like to acknowledge to the best of our inadequate understanding the Catawba, Occaneechi, Eno, Tuscarora, Saponi and Shakori peoples. This is Native land and white people in Durham occupy it as settlers and colonizers. We would also like to acknowledge Native resistance to the settler colonial state that motivates and inspires our actions, to encampments on unceded Wet'suwet'en land. To rail blockades such as the Tyendinaga Mohawk Territory Camp in so-called Ontario, Canada, to the on-going Kumeyaay and Tohono O'odham resistance to the border wall on the illegitimate usa-mexico border.

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ON ABOLITION

Abolition is the practice of building the world we want to see in the here and now. Housing is an essential need and eviction is violence. Direct action by the public is a powerful tool for dismantling the power of these violent systems and for protecting our communities.

We believe in people over property. We believe that all forms of punitive punishment including incarceration, immigration detention, prisons, jails and involuntary psychiatric holds are tools of violence. We say #FreeThemAll in order to #FreeUsAll. We say "No cages for our people!" We say #ACAB and we mean it.

For over 500 years, the emergence of the global economy has been grounded in racial capitalism and settler colonialism. The police, and similar systems, are agents of this violence and consider themselves the "thin blue line between chaos and order." Their power is false and upheld with fear and public policies that uphold anti-Blackness and white supremacy. Too many of us have faced violence in our homes, on the streets or in institutions like schools, prisons and jails. However, law enforcement does not prevent or address harm or seek to repair harm, let alone restore or transform harm. The state's methods of redress are punitive and deadly. Prisons, jails and police foster violence because that is their function.

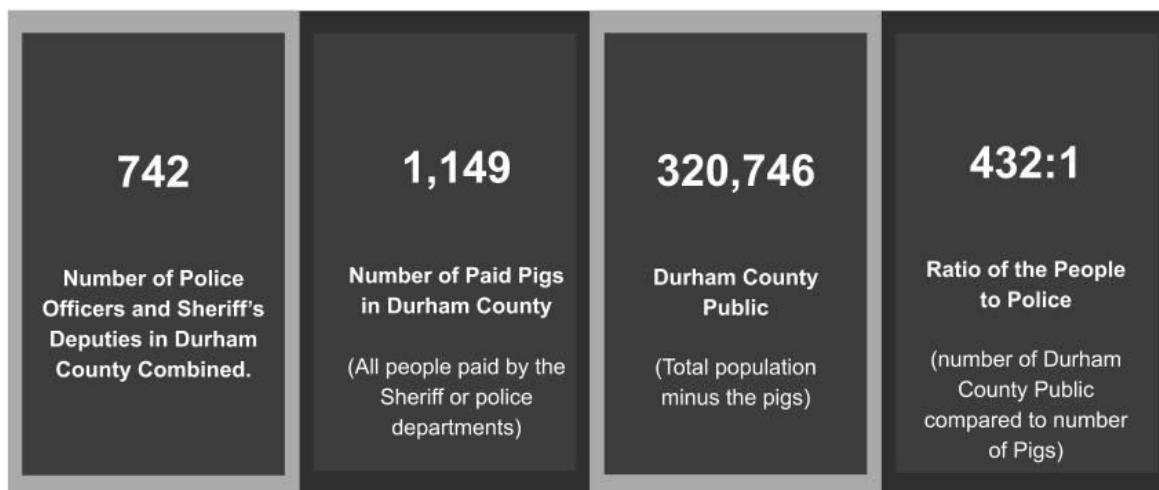
Police are descended from slave catchers and their mission to this day is to control Black people. Law enforcement is at best useless and at worst murderous. There are other ways to prevent and address harm. We don't need 'em! We keep us safe!

LOVE IS ABOLITION

HOPE IS A DISCIPLINE

RENTERS AND POLICE BY THE NUMBERS

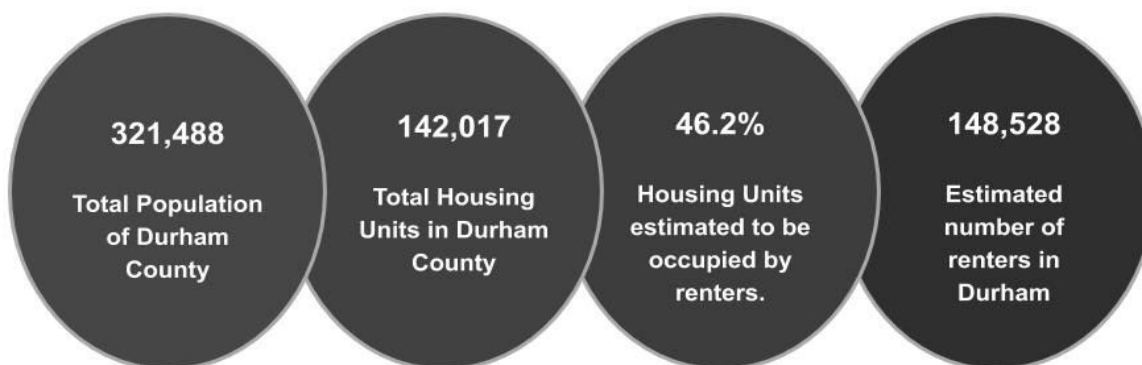
QUANTITATIVE COMPARISON OF PUBLIC TO POLICE IN DURHAM COUNTY, NC



Sources: US Census Bureau, Office of the Sheriff, Durham County 2019 Annual Report, Durham Police Department 2017 4th Quarter Report, and Comprehensive Annual Financial Report, City of Durham, NC (2019)

There are only 1,149 people in the formal policing system in Durham County. And only 742 of those people have the legal authority to arrest you.

ESTIMATED NUMBER OF RENTAL UNITS AND RENTERS IN DURHAM COUNTY, NC

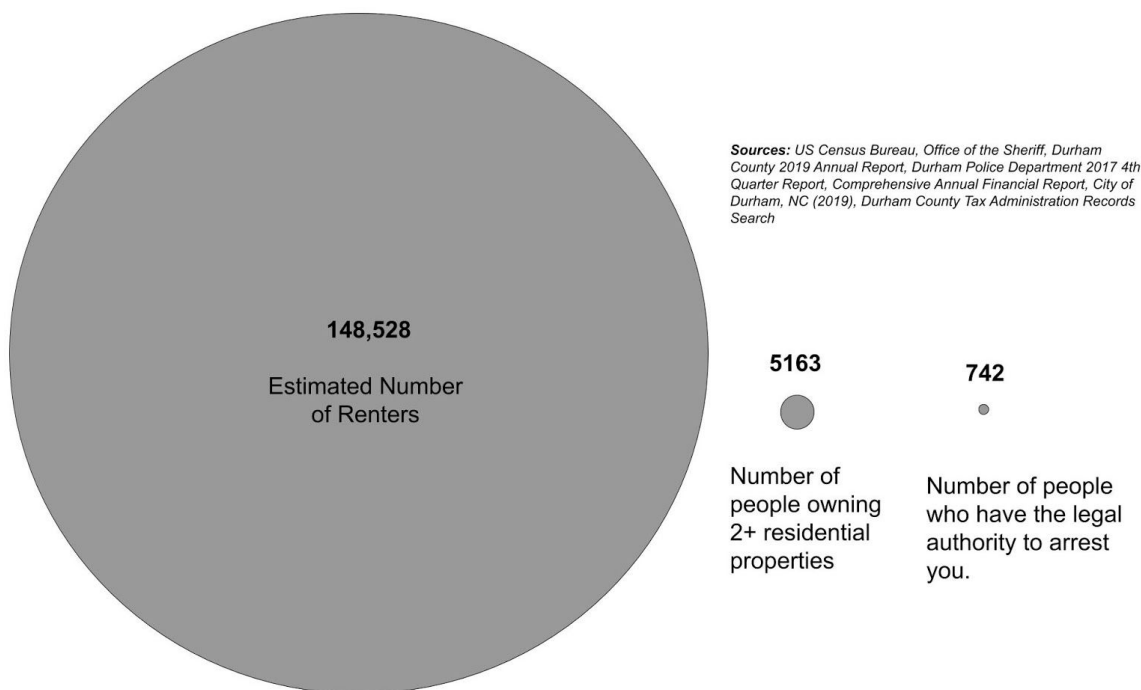


Sources: US Census Bureau.

Using US Census data on population and owner-occupied housing, we estimated that close to half of the population of Durham County, NC rents rather than owns their home. These numbers

become increasingly important when we think about both the number of people at risk of eviction as well as their collective power to change the systems that evict them. Though not included in this graphic, the banking system is key to this inequity, as they have proven and continued preferential treatment of privatized developers and white property owners. On the opposite end of the spectrum, people who are experiencing houselessness are not represented because they are erased from present systems of quantification. Remember, not everyone has a house, but everyone has a home. Together, we can create a world that supports this truth.

SIZE COMPARISON OF RENTERS, LANDLORDS, AND POLICE IN DURHAM COUNTY, NC



The above graphic shows the magnitude of renters compared to landlords and cops. There is more of us than them and *they can't evict us all*. Systems of power and control are effective because of the very real threat of violence. The Durham County Public outnumbers the Police 432 to 1. ***We have the power to abolish and revolt.***

What is being proposed in this handbook are ways to defend against state violence and the violence of evictions.. (All graphics below were prepared with open-use software and publically available data. The math, numbers, and references are available at the end of the book. Please use and spread.)

HEDS UP!

(Housing/Eviction Defense & Solidarity)

BACKGROUND

This effort was borne out of the Can't Pay Won't Pay movement that sprung up in March of 2020 at the beginning of the COVID pandemic. What began as a call for a city-wide collective rent strike evolved into demands for an eviction moratorium and cancellation of rent, with no debt and no back pay owed to landlords. Across the country hundreds of buildings organized and went on rent strike either by choice or necessity to varying degrees of success. Tenants who lived in the same building or under the same landlord formed tenant associations or councils, some negotiated payment plans with their landlords or were able to win reduced rent, and others who were not as successful are now facing the threat of evictions. An untold number of people have been evicted, legally or illegally.

Ultimately at the heart of Can't Pay Won't Pay is the idea that we are refusing to accept the manufactured housing crisis and evictions as normal. In Durham, there are plenty of homes and apartments for everyone. Houses, apartments, condos, duplexes and hotel rooms sit empty while property values are inflated, scarcity is created and people are evicted. When people are evicted it is the landlords that make money through flipping units and the court will often charge tenants with legal fees that are returned to the landlords. Evictions provide jobs for the Sheriff's Department and enforce the status quo of racial capitalism. There were plenty of people that couldn't pay rent before the pandemic and there will be even more who won't be able to pay in the wake of COVID. Our rallying cry during March, April and into May was *"If we can't pay alone, then we won't pay together."*

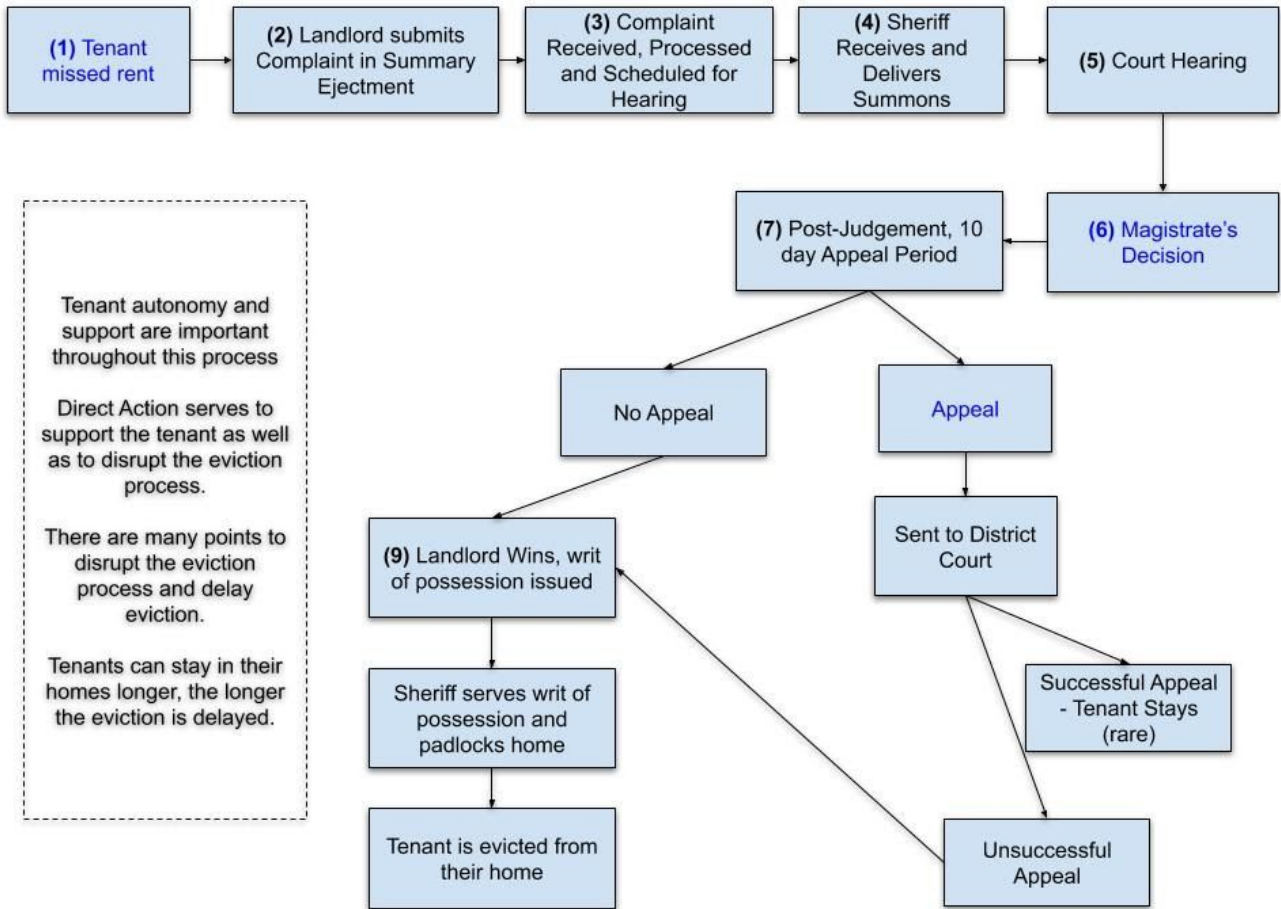
Summer hit and we took a rest on public-facing action. During this time the weak protections against eviction put into place by Chief Justice Beasley and the federal government expired. In anticipation of this crisis we began to conspire and our focus shifted to planning for eviction defense in order to support our neighbors.

As the pandemic continues, it is unmistakably clear that there is going to be no return to "normal." We said, and continue to say, the names of Ahmaud Arbery, Breonna Taylor, Tony McDade and George Floyd as we march. The uprising that began in the streets of so-called Minneapolis made abundantly clear that the fight for liberation is one towards abolition. We acknowledge all of those murdered by the police and those lives that have been lost in this most recent uprising, but also those who came before us. We seek to abolish the conditions that create the need for the police and prisons.

HEDS Up! seeks to connect with pre-existing networks of communities and like-minded people across Durham with the goal of stopping evictions. We have begun to hold trainings on eviction defense blockades and direct action, we have set up a text message-based rapid response network to inform people about eviction defense-related actions, and we are actively scheming for a better world. We are proposing a distributed, decentralized network that can take on the violent system of evictions, displacement, racial capitalism and those who enforce it. We are actively working with others to build tenant power and change the game on developers, landlords, the police and business as usual. We reject reforms that never address the root cause and the "promise of affordable housing" five or ten years down the line that will inevitably never be able to meet "demand."

WHAT WE WANT IS ABOLITION
AND WE WANT IT NOW, SO LOOK
OUT AND HEDS UP!

EVICTON PROCESS



The diagram above is a detailed overview of how the eviction process. The numbered boxes correspond to more detailed information on the points of the process on the following pages. Note that there are many steps for intervention/action in this process before a lockout. This handbook is for intervention/action in the final steps of this process. There are many opportunities for legal intervention in the earlier steps of the process.

North Carolina Landlord and Tenant law can be found here:

https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/ByChapter/Chapter_42.pdf

GUIDE TO THE (LAWFUL) EVICTION PROCESS

Special Notes on the Eviction Process:

The Power of Negotiation - If you feel like you can afford to pay partial rent, you can try to negotiate a payment plan with your landlord. You can also talk to neighbors who are also facing the inability to pay rent. There is power in numbers and by working together, a group of tenants can make a plan to collectively renegotiate everyone's rent or even do a rent strike. It is in your interest to negotiate at every step in the process to avoid eviction and minimize back rent owed to your landlord. It's important to get all of the negotiation in writing and signed.

If you can negotiate a new payment agreement with your landlord, that is considered an amendment to your lease. Get this in writing (emails and text messages count) and bring printed evidence of these agreements to your court date/hearing. You may not have to pay back the difference. Fight for this and collect evidence of all discussions with your landlord along the way. For example: your rent is \$500 and you negotiate to pay only \$300, rather than missing an entire month's worth of rent. If this is agreed upon in writing and presented to the court, you could work out a deal in which you won't be responsible for paying the remaining \$200 once the ban is lifted.

Eviction Moratorium - The CDC Eviction Ban, as of this printing, ends December 31st, 2020. The protections and end dates of this ban, however, should be considered a moving target with the upcoming election. Once the ban is lifted, tenants will still be required to pay all back rent, meaning you may be responsible for paying all the months you have missed payments. This is why negotiation and documentation throughout are very important. For more information and a copy of the declaration, see page 33. For information on the CDC Eviction Ban see page 31 for a handout from Bull City Tenants United on the inadequacies of the ban.

Direct Action - Direct action is incredibly useful in building power for and with evicted tenants. Broadly, it's a series of tactics, strategies and ideas for how a group of people can organize together to directly intervene in the eviction process and create alternative solutions that are tenant, rather than landlord centered. The support and intervention bullet points in the eviction

process descriptions cover some direct action strategies. See pages 16 - 30 for detailed information on direct action.

Lawful Eviction Process

1. Tenant Missed Rent - Tenants have a 5 day grace period before landlords can legally file for eviction.

- Intervention - Tenant should submit CDC Declaration to landlords. Each adult tenant in the unit must provide a signed copy to landlord. It's a good idea to do this via certified mail because it provides proof of delivery and the receipt can be used in court.
- Support - Help tenants submit CDC Declaration to landlords and negotiate with landlord

2. Landlord Submits Complaint in Summary Ejectment - After the 5 day grace period, the landlord files for eviction at the Clerks' Office via a "Complaint in Summary Ejectment." Summary Ejectment is the legal term in North Carolina for an eviction or eviction complaint. The landlord is the plaintiff. The tenant is the defendant. In the eviction complaint, the landlord asks the court to order the tenant to move. Often, the landlord also asks the court to make the tenant pay rent, late fees, court costs, money for damage to the property, utility costs, and other costs.

3. Complaint Received, Processed, and Scheduled for Hearing - Clerks' Office receives the eviction complaint filed by the landlord and processes it for summons. The complaint is served with a summons by the Sheriff's Department. A summons is a notice which states the date, time and place of your hearing.

- Intervention - Clerks can give tenants more time to prepare by extending the time between filings and court dates from 7 days to 30 days.
- Support - Other cities have had success in applying pressure through phone zaps to the Clerks' Office asking them to give the tenant more time between the complaint being filed and their first hearing date. This gives the tenant more time to negotiate with the landlord and stay in their home.

4. Sheriff Receives and Delivers Summons - All summons for Complaint in Summary Ejectments (aka eviction notices) are served by the Sheriff's Department. The summons are typically taped to the door and contain information on the eviction hearing.

- Intervention and Support - be vigilant for the presence of Sheriff's officers. Keep your eyes and ears open for their presence. You cannot intervene in the actual delivery of the summons, but you can start preparing for the next steps. Continue to negotiate, document, and organize.

5. Court Hearing - In court, both the tenant and the landlord can testify. The magistrate must make a decision based on what they hear and see in court. The magistrate cannot consider any information, whether testimony, documents, pictures, or reports, that have not been presented in court. Evidence gathering and preparation are very important for the court hearing, and can include things like receipts, pictures, and documented conversations. Come prepared with evidence and any witnesses, as you will not be allowed to return with anything you forgot or with people who didn't show up. Signed eviction moratorium declarations should also be submitted.

- Intervention - Develop a checklist with all the important documents, facts, evidence, questions, and claims you want to present to the magistrate. Speak slowly and clearly when talking. Be respectful. Direct your statements to the magistrate, not the landlord. Use your checklist and show all your evidence to the magistrate. Do not lose your temper or get into an argument with your landlord. If you think your landlord is lying in response to questions from you, don't try to testify then. You will testify when you are on the witness stand. Do not try to act like a lawyer. Be yourself. Do not interrupt when the landlord talks, or when the landlord's witnesses talk.
- Witnesses - You are allowed to bring witnesses with you to court. You are not required to have witnesses. Witnesses are necessary if you do not have direct knowledge of information. For example, if your landlord said something important to your friend but not to you, you need your friend as a witness. Witnesses who can back up your testimony can help persuade a magistrate that you are telling the truth.
- Support - With the consent of the tenant, we can attend their hearing with them, take notes, and show them that they are not alone in this process. You can also engage in general court support for evicted tenants. Court watch/court support can look like showing up and distributing copies of the CDC Declaration and Know Your Rights information with some hot coffee and snacks as people arrive to court.

6. Magistrate's Decision - After hearing from both sides, the magistrate will make a decision. A magistrate usually decides a case right away, but they can take up to five days to decide a

case. Make sure you know and understand the magistrate's decision (if a decision is made that day) before you leave the courtroom. A civil court decision is called a judgment. The judgment will state whether you are to be evicted and whether you owe the landlord any money. The judgment will not be final until 10 days after the hearing. You cannot be put in jail for not paying the judgment.

7. Post-Judgement, 10 Day Appeal Period - After the magistrate makes a decision, either party can appeal within 10 days by filing a Notice of Appeal at the courthouse. The magistrate's judgment is not final for 10 calendar days. The 10-day period starts on the day after the hearing, or on the day after the magistrate makes a judgment. A tenant's right to stay in a rental home does not change during that time. Even if you are not at court, or you lose at the hearing, you cannot be forced to leave your home for 10 days after court. Either you or the landlord can make an appeal during the 10-day period.

8. Appeal Process

- No appeal - If you do not appeal during that time or if you do not pay an appeal bond, the landlord can get the sheriff to come to your home to remove you and change the locks or "padlock" the residence.
- Appeal - If you do appeal, then the case moves up to District Court (court that is higher than civil court) which means you get a new court date and your case is seen by a different judge for review and a final decision.
- Unfortunately, most times the judge will still side in favor of the landlord. Despite this likely decision, it still buys the tenant more time to negotiate with the landlord in the interim.
- If the judge decides against the tenant, then the case moves forward to the next step in the eviction process which is the "writ of possession"
- If the tenant does win, then the case is dismissed and the tenant is allowed to stay in the home

9. Landlord Wins - Writ of Possession Issued - A few days before the padlocking, you should receive a "Writ of Possession." A Writ is a court order that directs the sheriff to make you move. You should also get a notice from the sheriff, often via mail. The notice states the

date and time when the sheriff will come to padlock and escort you out of the home. If you have not moved by then, you must leave the residence when the sheriff orders you to go. The landlord is not allowed to kick you out. The sheriff is the only one who can legally force you off the premises. If there is a successful direct action that prevents the sheriffs from padlocking the tenant out (ie: eviction blockade), then that will delay the process and allow the tenant more time to figure out their next move.

After being removed, you must arrange with the landlord to remove your property from the home within five to seven days. If you do not, the landlord will have the right to sell your things, throw them away, or otherwise dispose of them. If the landlord sells your things, she or he can keep the money for the rent or other amounts you owe.

- Intervention: Eviction Defense Direct Actions. With the tenant leading the way, develop a plan with them for when the sheriffs are due to arrive. See page 16 - 30 Direct Action & Eviction Defense for Strategies and Tactics.

Fun Fact! In several cities across the country (New Orleans and Kansas City, among others), community members have been going to the courthouse and shutting the courts down by gluing the locks shut, locking them with bike locks/chains, and in some cases forming a human blockade to get media attention. This has been very successful and has resulted in some cases being rescheduled months out, allowing the tenants to remain in their homes a lot longer.

STRATEGIES AND TACTICS FOR EVICTON DEFENSE AND BLOCKADES

Eviction Response Team Organizing Guide

adapted from:

**LA Tenants Union, Richmond Strike,
and Rochester Housing Justice Alliance**

Introduction

What follows are a series of tactics, strategies and ideas for how a group of people could organize together to participate in an eviction blockade. These tactics and strategies are adapted from friends in Rochester, Richmond and Los Angeles. Richmond and Rochester are important because they are two similar sized cities that are both facing threats of displacement, gentrification and mass evictions. The work of Los Angeles Tenant Union (LATU) is indispensable in the fight against evictions and landlords with years of experience doing this work. Additional information has been pulled from numerous zines and publications on direct action, security culture and personal experience.

For the purposes of this handbook the focus is on evictions and tenants, not foreclosures and homeowners. This is not to diminish the threats the homeowners face from the State and banks. The blockade tactics and strategies can also be applied to foreclosures. We encourage people to organize around foreclosures and support at-risk homeowners. The financial crisis of 2007-2008 is one of the largest thefts of wealth and land from Black and brown homeowners and this is not forgotten or lost.

-See page 35 to find the Durham County Landlord Research Guide to find out how to begin research on who owns what in your neighborhood. To make a significant impact against this crisis, it is going to take a lot of personal initiative, research, and effort, but we trust that there are lots of you out there ready to meet this challenge.

There are different types of evictions. These blockade tactics and strategies can be useful for all types of evictions, but will depend on if an eviction is lawful or unlawful (a self-help eviction).

Legal Eviction

In a legal eviction, the landlord receives a “writ of possession” to enter the property and the sheriff serves the writ and the landlord changes the locks. When the sheriff serves the writ of possession that is the moment of intervention for an eviction blockade. It is the time when legality is enforced by the violence of the police in the name of private property. It is the work of eviction defense, and more broadly, community defense to oppose that violence.

Self-Help(Unlawful) Evictions

During a self-help eviction the tenant leaves the property before they are legally required to and the landlord regains control over the property. If a tenant leaves before their landlord legally files for eviction, then there is nothing that appears on the public record. Self-help evictions are often done through coercion, force or harassment. See page 11 for a detailed explanation of the eviction process.

Lasting Impacts of Eviction

After the tenant is displaced, they can still owe the landlord or court money when they are served the writ and evictions will continue to show up in a public record search for 7 years (1). Since a writ of possession is part of the public record, an eviction will show up on a tenant's credit report for 7 years after the eviction. An eviction on a credit report can remove hundreds of points creating additional barriers to renting in the future and accessing credit. Typically it takes from 30-60 days from when a judgement is issued for an eviction to appear on a credit report until that 7 year period is up and the writ of possession is no longer part of the public record.

- (1) <https://www.myrentalhistoryreport.com/blog/your-prior-rental-history-and-renting/how-long-does-your-rental-history-stay-with-you/>

Direct Action Basics and Eviction Defense

Direct action in a loose sense is an amorphous set of strategy and tactics used to accomplish goals. When tenants facing eviction refuse to leave their homes, when people block sheriffs from carrying out an eviction, when neighbors help each other move back after the sheriffs have left, or when squatters open up a vacant property and move on in.. that's all direct action!

There are three parts that define direct action:

- First, for direct action to be effective it must be *strategic*. Pick your target. Act offensively as well as defensively. Think in terms of what you want. *Set your goals* and develop an action plan and a timeline for realizing them.
- Second, direct action should result in material change. The success of a direct action is measured by the *quantifiable reduction in the opposition's power*. Did the sheriffs turn away, allowing the tenant to remain in their home longer? Did the threat of an eviction blockade encourage the landlord to drop the eviction altogether?

- Third, it is primarily the actions of those engaging in the direct action that produce the desired goal. *We keep us safe.* The whole of our efforts rests on a foundation of strong community-based organizing and trust amongst affinity group members.

Direct action carries legal challenges for those engaging in it. That is why it is important to “*know your rights*” and practice *security culture*! While engaging in eviction defense, as in other forms of direct action and civil disobedience, there will be many different roles and risk levels regarding arrest. Interacting with law enforcement can be terrifying and state repression is a constant threat, **but don’t be thwarted by them, be awakened!** If you are ever placed under arrest never answer any questions the police ask you. If they show up to your house, be polite, do not answer any questions, ask for a business card, and tell them that your lawyer will be in touch.

ON COMMUNICATION

“Safety and security are not the same thing”

“You can have security without relationships but you cannot have safety -actual safety- without healthy relationships”

-Mariame Kaba

When thinking about how to communicate when organizing an eviction defense or rapid response, it is important to understand that it is healthy relationships that form the basis of a strong security culture. It is the trust in one another that keeps us safe. This doesn't mean that there will never be conflict, harm or tension, but it means that we strive to treat people with respect, dignity, and an openness to transform and be transformed.

Security Culture and Digital Communication

Security is a set of customs shared by a community whose members may be targeted by the government/police. Good security is designed as a way to avoid unhealthy paranoia by minimizing risks at all times. The difference between protocol and culture is that culture becomes unconscious, instinctive, and effortless. If you and your friends always conduct yourselves wisely, you'll have less to fear from infiltration and surveillance. One thing to note is that many communities targeted by state violence already have ways that they communicate that keep them safe. Understand and respect that there are lots of different ways to do the same thing and not every way of doing things is appropriate for every community. Understanding needs, desires, ability and access is important when understanding how to stay safe when communicating.

The essence of security culture is that information is shared on a need-to-know basis. In some cases, the whole town needs to know about your action for it to be a success; in others, it is crucial that the action is never spoken of outside the circle of those directly involved. Each eviction defense action may require different strategies in order for it to be as effective as possible and in line with the tenant's needs and desires.

In-Person and Digital Communication

The most common way of digitally communicating that is the most secure from state surveillance is the communication app Signal. While Signal offers an extremely important tool to use when organizing against state violence, it is just as important to reflect upon the needs, access and ability of those around you when choosing how to communicate. If a tenant doesn't want to or can't get Signal, that's totally fine. With the reality of COVID, having face-to-face communication can be hard; it is not impossible but it must be done in a way so that everyone feels safe.

Be intentional, thoughtful and considerate when communicating. Face-to-face communication is the most secure and direct way of communicating. Understand the needs of those who you are organizing with and make sure what you're doing is accessible. If the work is not led by the person who is facing the violence of eviction and they are not able to maintain autonomy in the process, then integrity is lost and trust can be broken.

This doesn't mean that the harm is permanent; it does mean that there are consequences attached to actions. Act with intention and be clear in communication with any affinity group(s), those who are facing eviction and with yourself.

If you do choose to use the Signal app to communicate with others, remember that because communication is happening in a digital space the same expectations and standards apply as in-person organizing spaces.

How to Organize Signal Threads:

Below are ideas for how to organize Signal threads around an eviction defense and most kinds of direct actions.

General Thread - The general thread consists of all Eviction Defense Network (eviction response team) collective members and functions as the general pool from which action-specific response teams are formed. All prospective thread members should be people you trust and sometimes there is a “vouch” process to add people too threads. It's important to remember that threads are organizing spaces so be aware of how much space you take up and what's being said. For any communication that you don't want anyone else to know about, have those conversations in person. There are numerous zines on signal best practices and security culture that are useful and important when involved with projects that are resisting state repression. Posts on the thread should be limited to calls to action and response team formation. This thread may function as a method of communicating for your organization, crew, network or group. Don't be fooled that the signal thread can replace face to face communication and relationship building.

Action-Specific Team Threads - Specific threads for each specific eviction response or direct action. Response team members should delineate roles between themselves beforehand or upon immediate arrival at the eviction site. Ideally this is something that is talked about and decided upon before the action if time permits. The Tenant and/or Tenant Liaison(s) and Police Liaison should be the guiding voices of the thread, requesting specific action or information from other roles.

Affinity Groups

One of the most efficient and secure models for direct action organizing is the affinity group model. An affinity group is a group of friends, neighbors, etc. who trust each other deeply and share the same goals; working together over a long period of time, they become efficient and effective. For a small action, the members of an affinity group can take on different roles. For a larger action, affinity groups can work with other affinity groups in a “cluster,” each group playing a role.

For a strong and effective community defense against eviction, one proposal is that there are all different kinds of affinity groups focused on direct action being autonomously formed across different neighborhoods, friend groups and social circles, each able to respond when a neighbor is looking for assistance to remain in their home. If we have this structure already in place, it will make our response quicker and more effective.

What The Eviction Defense Process May Look Like:

1. People who are facing eviction will contact HEDS Up! or another local eviction defense network working on tenant organizing who are facing a potential lockout. By texting 919-918-0330 people can provide information and directly contact verifiers who are involved with HEDS Up!
2. A team of verifiers will discuss incoming tips, requests for assistance and verify information by contacting the person who reached out. At this point the relationship with the tenant begins. The verifier role is one where people need to be familiar with tenant organizing, have healthy communication skills and have consistency. Once the information is verified, the team of verifiers will be dedicated to building a relationship with the tenants in order to determine the needs, desires and goals of the tenant. If necessary, verifiers can begin to assemble an Eviction Response Team (ERT) that will potentially respond to an eviction defense..
3. From there, a plan will be developed and implemented that meets the needs and goals of the tenant.
4. The ERT will be composed of one or more affinity groups with predetermined roles and risk levels assessed.

5. In addition there is a text-based rapid response network being built for subscribers to the HEDS Up! text alert system. The subscribers will be people interested in responding to a call for an eviction blockade who can show up to these actions in order to lend additional support to the ERT. The verifier can send a message to 919-918-0933 (please note that this is a different number) activating this network to show up.

Note: A strong tenant organizing structure and culture is also a strong eviction defense. There are lots of interventions to prevent evictions from happening before it gets to an eviction blockade. This handbook is focused mostly on blockades and strategies and tactics for defense.

Preparing for the Action & Risk Assessment

Everyone involved in the action should be aware of and prepared for the risks they are taking and the potential criminal charges associated with them. It's important not to take things further than you feel ready to go: if you get hurt or arrested while engaging in a level of risk for which you are not emotionally prepared, the effects can be debilitating. If your action may result in arrests, prepare a legal support structure for those who participate. This could include a legal aid number for arrestees to call, legal observers to monitor and document the actions of police, money for bail, lawyers to provide immediate support to arrestees and to represent them in court, and a circle of people prepared to offer emotional, financial, and logistical support throughout court cases.

One useful tool to use when preparing for a direct action is PEARL. This tool can be used within your affinity group to check in where everyone is at and what risks they are willing to take. PEARL can help you prepare as well as ground you before tense moments.

P E A R L

P - PHYSICAL

How do you feel physically? How does your body feel? What can your body take and what is your body able to give? Are you hungry, hydrated and have access to food, water and any medicines that may be necessary to have during the action?

E - EMOTIONAL/MENTAL

Where is your emotional and mental state at? Be sure to name and acknowledge the emotions you feel before an action especially if they are hard or difficult. Processing them before in a group can be a tool to ensure you are prepared during the action when things are tense and moving fast.

A - ARRESTABILITY

Are you in an arrestable role? If so do you have the National Lawyers Guild or Jail Support number written on your arm? Do you have an emergency contact that isn't at the action who can provide support in case of arrest.

R - ROLES

What is the role you or your affinity group is taking on during the action? Go over them in detail so everyone knows what to expect and what may occur.

L - LOOSE ENDS

Is there anything else to cover in your affinity group before the action begins?

THE EVICTION RESPONSE TEAM (ERT)

ERT has two primary goals:

1. Maximize the Tenant's Agency: It is the tenant's eviction, and the tenant has the final word in what action is taken. The ERT can empower tenant decisions through advice, access to information, and support for mass action. The ERT must not make decisions on behalf of the tenant unless the tenant gives prior consent.

2. Slow Down the Eviction Process: For landlords, time is money. The eviction process is profitable only if evictions occur quickly, quietly, and without dispute. Therefore, the ERT should do everything possible to drag out the process. Even if the tenant wishes to ultimately compromise with the landlord, the compromise should happen on the tenant's time, not the landlord's.

Eviction Response Team Organization and Roles

Within a response team, it is advisable for each person to have a clearly defined and designated role. An eviction response team (ERT) could be made up of pre-selected person(s) for each role. Each role could be fluidly selected during the formation of an ad hoc team. In either case, each role should be understood well by every member of the team. The following are some possible roles. Some of the roles can be held by the same person. Below are resources from multiple groups using multiple methods.



Tenant Liaison

Onsite, long-term advocates who have a previous relationship with the tenant based on mutual understanding, consent and trust. Tenant Liaisons are organized, know the relevant laws, and have them easily accessible in printed or digital form. Tenant Liaison should be at the tenant's side during the action, provide updates and planning responses with the tenant. The tenant liaison is in touch with the communication team.



Police/Landlord Liaison

Knows the relevant laws and/or organized and easily accessible in printed or digital form. They talk with the police and/or landlord directly, if asked to do so by the tenant. Is trained in de-escalation, bottleneck, delay, and subvert tactics. The Police/Landlord Liaison should be the only response team member speaking to the police. It may be necessary to have one person for both roles or one person for each depending on the context. The police/landlord liaison is in touch with the communication team.



On-Site Scout

Essentially a lookout. They face outward from the action, looking around, up and down the block. Are cops / Sheriff's deputies coming? Are neighbors coming? Has the landlord's car / truck arrived? The On-Site Scout is part of the communications team and relays information to the rest of the team.



Off-Site Scout

The Off-Site Scout can look up or have ready relevant information on their computer to relay to the team. The Off-Site Scout could monitor the active emergency calls for the city/county and the schedule of civil actions the Sheriff's department is taking that day (ex. If you have an action in the morning and it delays the process the whole schedule of the Sheriff's trying to do their job will be messed up). This role is an active member of the communication team to relay important information.



Drivers

Provides transportation and will drive on-site roles to the eviction location. The driver may or may not overlap with other on-site roles, and there may be more than one driver. Drivers and vehicles may be necessary to transport the tenants possessions and things to another location during an eviction defense or if that is a need of the tenant.



Videographers

Records relevant interactions with a camera. Audio is important to capture as well, so a videographer remains silent. Videographers under all circumstances unless it is the desire of the tenant and with the consent of others keep their cameras on police and landlords.



Lawyer and Legal Team

This team includes a lawyer (ideally one the tenant is already working with) as well as a National Lawyers Guild Legal Observer. The lawyer should be accessible via phone to answer questions and directly interface with the Tenant Liaison. The Legal Observer is present to provide objective reports on activities and is especially useful for holding police accountable because their reports are considered legally binding.

NC NLG Contact Info: 919-408-7569 or ncnlglg@protonmail.com



Tradespersons and Labor

Locksmiths, Plumbers, Electricians, Carpenters, Movers, etc. Tradespersons have the tools and skills to make material alterations to the building, to benefit the tenant and help them stay in their home. In case of an eviction defense during a Writ of Possession the tenant may want to move their stuff into another location (storage unit, other secure and safe space) before the eviction defense in-case it isn't successful. Locks may need to be changed, electrical fuses replaced, water turned back on, etc...

Risk Levels During an Eviction Blockade

Level One (lowest risk of arrest) -- Protesters and Spectators

- Visual/Auditory Presence -- speakers, chants, banners, signs
- Turnout -- Getting people to show up, fellow building tenants, organizers, other organizations. (Remember the more people on the outside, the less likely those arrested will be harmed.)

Level Two (low risk of arrest) -- Affinity Group(s) that impede the Sheriff's access to the home until the Sheriff gives a "final dispersal order" (e.g. by barricading or crowding the entrance to the building).

- The Police Liaison will be there to help with communication between police and these folks

Level Three (intend to get arrested in nonviolent civil disobedience) -- Affinity Group(s) that plan to get arrested (e.g. by occupying the interior of the home or blocking the landlord and sheriffs entrance to the residence).

- If the police try to arrest the arrestables will be moved to the front of the group continuing to blockade and making things difficult for the Sheriffs and landlord.
- For those people who are arrestables it's important to understand escalation. When to escalate and when to de-escalate. In a rapid response scenario such as an eviction blockade or defense, the goal is to make the sheriff and landlord leave.

Ultimately not every goal, need or desire of the tenant may be met during the eviction blockade, but it is a tactic that can buy more time for the tenant and can build towards long-term security and safety.

On the Police Liaison

The Role of the Police Liaison (PL) is to protect their comrades and community members through the interaction: all the way until the cops and landlords leave. Be especially wary of how police act around neighbors and passers-by, especially those of marginalized identities. Be prepared to mediate or intervene if necessary and asked for.

Delay + Subvert

The PL delays police action/involvement by introducing themselves as the “Police Liaison”, so that if police have any questions, information, or requests of the affinity group, they can/should be relayed through the police liaison. This delays and hampers the police in a few key ways. Communications should be dragged out, calls left to ring, police officers asked to please repeat instructions a bit louder, etc. Cooperative but functionally incompetent.

Bottleneck Information!

If Police assume that 1) folks are “cooperating” and 2) That this one person is responsible for providing information to the police, it can cut down/delay police interaction with other members of the affinity group or community.

Similarly, if police are attempting to pump the group for information or give orders, the PL acts as a bottleneck by acting as the information relay from police to each individual member of the ERT. This buys everyone time to continue the action for as much time as possible while maintaining a semblance of plausible deniability.

It is not your job to single-handedly stop the police from whatever they intend to do. It is not your job to physically block the police; this may cause escalation and use of force. Your job is to slow and potentially confuse whatever the cops are trying to do to assert authority.

Intel

Cops will be attempting to pump the police liaison for information. But Cops also aren't the brightest bunch, and are used to being in control and having their directives followed. While part of your job is to take advantage of this to delay and subvert any efforts they might take that may be detrimental to the group, your role is also to obtain information from them—either directly (asking questions) or indirectly (eavesdropping!)

Don't give them information. You don't have to answer their questions. Be as vague as you can manage if it's advantageous to continue a conversation, or don't answer their questions at all.

De-Escalation

Be on the lookout for how cops are mobilizing: are they calling in more cops? Are they putting on additional gear? Who are they talking to, and in what tone?

If a cop goes up to one of your comrades, it is your job to step into the interaction and mediate. Body language is important: hands down and in front of you, lowering tone rather than elevating.

People in other roles should invoke their right to remain silent; the Police Liaison should be the only team member speaking to police. The PL steps in to keep attention on themselves rather than those directly intervening to stop the eviction.

The prior two responsibilities are proactive ways of preventing any action/eviction response police/landlord interaction from escalating to a situation where our people are criminalized, jailed, or otherwise put in harm's way. That said, things may escalate anyways. In these moments, the Police/Landlord Liaison leverages the "relationship" they've been building to de-escalate or continue to delay/hamper the eviction.

SAFETY

Do no harm. We want our neighbors to be able to stay healthy and in their homes. We also want to be able to sustain ourselves through these efforts.

1. Clothing

Masks: Everybody in the space should have masks on. Masks do the most to protect other people from you/your germs, so wearing masks is the most effective when everyone is

participating. Note that police may not be wearing masks. Any clothes worn at the action should be immediately washed after being at an action or demo.

TIP! Masks aren't only about stopping the spread. Masks and blocs are also important to maintain anonymity during an action. Anonymity allows for greater protection against repression and identification by people with ill intentions.

2. Best Practices

Distance: We should be trying to remain outside. The CDC's suggestion is staying 6 feet apart, but other studies have suggested a further distance in order to safely social distance.

Do not touch your face. If you touch your mask or your face during the action, you are putting yourself at risk and need to sanitize your hands to prevent further spreading. Hand sanitizer will be necessary as hand washing will be less accessible in most cases.

TIP! Another potential role could be one to ensure that everyone at the action has proper PPE and access to sanitization. This means masks and hand sanitizer/soap and water. Brainstorm with your affinity group what else you may need to keep each other safe and bring extra for others so everyone is covered!

BULL CITY TENANTS UNITED ON THE CDC'S "EVICTON BAN"

Bull City Tenants United is a newly formed coalition of Durham renters and organizations working to build tenant power and win an end to all evictions.

September 2020

www.facebook.com/BullCityTenantsUnited

Q: This order means that no one can be evicted, right?

A: NO. Under this order, many people can still be evicted. This order only protects tenants who are being evicted for nonpayment of rent if they can prove that they cannot pay specifically because of COVID-19. They also must earn less than \$99,000 annually or less than \$198,000 as a household, or were not required to report income in 2019, or received a stimulus check.

Q: Okay, so what kinds of things could my landlord use to evict me, even with this order?

A: Landlords can use all the regular justifications for eviction besides nonpayment of rent. This includes lease violations, "criminal activity," damaging property or posing an imminent risk to the property, and violating building codes, health ordinances, or similar regulations. Not to mention that your landlord can still try what we call an "informal eviction" where they make it so hard for you to stay that you have to leave -- by doing things like shutting off your utilities, refusing repairs, raising your rent, etc.

Q: Okay, if I am facing eviction because I can't pay my rent, what do I have to do?

A: In addition to the income requirements above, tenants have to tell their landlord that they cannot pay their rent using a form provided by the CDC. Tenants must prove that they can't pay due to COVID-19, that they are likely to become homeless if evicted or have to unsafely live with friends/family, that they will attempt to make partial payments, and that they have made their "best effort" to get government assistance to pay their rent.

Q: But what if I am undocumented or do not have standard documentation of my wages/earnings?

A: Under this order, it might be very difficult for you to stop your eviction proceedings. The order requires that you certify, under penalty of perjury, that you meet the above income and need-based criteria.

Q: And how do I prove that I am likely to become homeless, or that I have made my “best efforts” to get government assistance?

A: We’re not sure -- these requirements are pretty vague. And we’re not sure if the fact that these requirements are not clearly expressed means that tenants will not have to prove as much, or if landlords will be able to have a lot more room to say that tenants have not shown proof of these requirements.

Q: If I can’t pay rent and can’t be evicted for not paying, does this mean that I don’t have to pay rent?

A: Well...you might not have to pay rent until December 31st, because your landlord can’t evict you for not paying your rent. But you’ll have to pay all of the rent that you missed once January 1st comes around -- so you could be on the hook for thousands of dollars. You’ll also have to pay any fines, fees, or interest that your landlord chooses to charge you.

Q: Does the order help me if I was already being evicted before September 4th?

A: No. Your eviction, even if only for nonpayment of rent, can legally proceed.

Q: What else can Durham do as a city or county to help tenants right now?

A: The order allows state and local authorities to create even greater protections for tenants. Now is the time to demand that Durham’s courts close, the Sheriff refuses to enforce evictions, and tenants can access rent relief.

For more information find Bull City Tenants United on facebook.

CDC COVID-19 “EVICTIION BAN”

On September 4th, 2020 The Centers for Disease Control (CDC) released an order under Section 361 of the Public Health Service Act to temporarily halt residential evictions to prevent the further spread of COVID-19. The order is effective September 4, 2020 through December 31, 2020.

This declaration is for tenants, lessees, or residents of residential properties who are covered by the CDC's order temporarily halting residential evictions (not including foreclosures on home mortgages) to prevent the further spread of COVID-19. Under the CDC's order you must provide a copy of this declaration to your landlord, owner of the residential property where you live, or other person who has a right to have you evicted or removed from where you live.

Unless the CDC order is extended, changed, or ended, the order prevents you from being evicted or removed from where you are living through December 31, 2020. You are still required to pay rent and follow all the other terms of your lease and rules of the place where you live. You may also still be evicted for reasons other than not paying rent or making a housing payment. This declaration is sworn testimony, meaning that you can be prosecuted, go to jail, or pay a fine if you lie, mislead, or omit important information.

IMPORTANT: The following page is a form letter to be submitted to your landlord. Type or write it up. Sign and date it. Each adult listed on the lease, rental agreement, or housing contract should complete this declaration.

Source :

<https://www.federalregister.gov/documents/2020/09/04/2020-19654/temporary-halt-in-residential-evictions-to-prevent-the-further-spread-of-covid-19>

The next page is a copy of the declaration that needs to be made in order to access the CDC “Eviction Ban.” The declaration needs to be filled out by a tenant and returned to the landlord to gain protections.

Declaration Under Penalty of Perjury for the Centers for Disease Control and Prevention's Temporary Halt in Evictions to Prevent Further Spread of COVID-19

I certify under penalty of perjury, pursuant to [28 U.S.C. 1746](#), that the foregoing are true and correct:

- I have used best efforts to obtain all available government assistance for rent or housing;
- I either expect to earn no more than \$99,000 in annual income for Calendar Year 2020 (or no more than \$198,000 if filing a joint tax return), was not required to report any income in 2019 to the U.S. Internal Revenue Service, or received an Economic Impact Payment (stimulus check) pursuant to Section 2201 of the CARES Act;
- I am unable to pay my full rent or make a full housing payment due to substantial loss of household income, loss of compensable hours of work or wages, lay-offs, or extraordinary out-of-pocket medical expenses;
- I am using best efforts to make timely partial payments that are as close to the full payment as the individual's circumstances may permit, taking into account other non-discretionary expenses;
- If evicted I would likely become homeless, need to move into a homeless shelter, or need to move into a new residence shared by other people who live in close quarters because I have no other available housing options
- I understand that I must still pay rent or make a housing payment, and comply with other obligations that I may have under my tenancy, lease agreement, or similar contract. I further understand that fees, penalties, or interest for not paying rent or making a housing payment on time as required by my tenancy, lease agreement, or similar contract may still be charged or collected.
- I further understand that at the end of this temporary halt on evictions on December 31, 2020, my housing provider may require payment in full for all payments not made prior to and during the temporary halt and failure to pay may make me subject to eviction pursuant to State and local laws.

I understand that any false or misleading statements or omissions may result in criminal and civil actions for fines, penalties, damages, or imprisonment.

Signature of Declarant Date

LANDLORD RESEARCH GUIDE

Durham County, North Carolina

1) Look up the 'registered owner' of the property and make note of any property management information. This is best done by accessing the county website to find details on the property or owner.

Durham County Property Record Search Tools	
Property Record Search - https://property.spataleest.com/nc/durham/#/	
Address	Owner
The address search takes you to a page with a picture of the property and numerous details. In the middle on the top of the page above the address is the ownership information. Look through the data to find additional information including previous sale information, property value, year built, etc.	Entering the registered name of the property owner will bring you to a list of all the properties that are under the same ownership entity. You can sort by address and use a map or list feature to navigate. By clicking the arrow in the 'Download' button on the right of the screen you can download this information as an Excel spreadsheet.
<i>TIPS/TRICKS: Tips: Take the time to create a spreadsheet for organization, it will come in handy later! Even with downloaded data it can be too much so delete what you don't need.</i>	<i>Less is more when searching databases, take out unnecessary punctuation and try different parts of what you are looking for. Owners are not always put in exactly the same, so it can be worthwhile to look up by close variants (i.e. Robert vs Bob, etc). It can also be worthwhile to see if a landlord has some properties under a company and some under a private name or</i>

<p><i>This search engine uses auto-fill. Sometimes there will be different LLCs with very similar names who are ultimately owned by the same entity. By partially typing in names slowly, you may see more results.</i></p>	<p><i>spread out across multiple companies (see below for instructions).</i></p>
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ADVANCE OWNER SEARCH:

To find properties that share the same owner address - this might be property with variant owner spellings, company vs private, or we often see property ownership that's managed together but owned by different spouses or family members.

- Pull up your property & look for the "owner address information"
- Go here: http://maps2.roktech.net/durhamnc_gomaps4/#
- Use the top right button to bring up a menu toolbar at the top, then select "Query Builder" to see an advanced search window.
- From the drop down menu that says "Select Layer" choose "Parcels"
- Now go to the text box. Copy or enter:
 - OWADR1 Like 'ADDRESS%' Or OWADR2 Like 'ADDRESS%'
- Replace both copies of ADDRESS in what you just entered with the address of the property owner. Make sure you leave the quote marks and the percent sign. There's a lot of variance in RD vs ROAD as well as in how units are listed so we recommend just entering the street number and name and no other information.
- Now you've got more properties and probably some more information about how ownership interacts and overlaps for your landlord. At the bottom where the results come up, you can hit the page with an x on it at the top of the results ("Export to Excel") to download the data as a file.

2) If the owner is an LLC or other entity, find out who is behind that holding company. You can find this on the Secretary of State's website or on Open Corporates by searching the name you found on the GIS records.

North Carolina Business Information Search Tools	
<p>https://www.sosnc.gov/online_services/search/by_title/Business_Registration</p> <p>Clicking on the 'Control #' link you can find information on the mailing/principal office address. A non-invasive alternative to google maps is OpenStreetMaps. <i>If you're using google maps be mindful if you signed into a google account and by simplifying signing out and using a private window on your browser goes a long way towards digital security and maintaining anonymity towards your landlord.</i></p>	<p>https://opencorporates.com/</p> <p>Same information as the State search but less specific on typos punctuation. If you get a lot of results filter by clicking on the state to the right of results</p>
<p><i>TIPS/TRICKS: The person listed as manager/agent/office ris likely the landlord but could also be the landlord's attorney. A quick internet search for [Name, North Carolina, attorney] is usually helpful.</i></p>	<p><i>If you find that the agent is a CS Corporation something, that means they are using another company to hide who actually owns the building. More research needed.</i></p> <p><i>This is a great way to find out where your landlord lives!</i></p>

3) Gather more information on your landlord via internet research

But *who* gets my paycheck?

Search "name" + North Carolina + Real Estate. If they have a website add relevant information to your research spreadsheet.

Is it an individual?

Sometimes even larger property owners have properties registered directly in their name. Search for just the last name and see what you find, sometimes properties will be in other family members' names in addition to their own.

Are they a Limited Liability Corporation (LLC)?

A limited liability company (LLC) is a corporate structure where the owners are not personally liable for the company's debts or liabilities. Limited liability companies are hybrid entities that combine the characteristics of a corporation with those of a partnership or sole proprietorship.

Are they a Real Estate Investment Trust (REIT)?

A real estate investment trust (REIT) is a company that owns, operates, or finances income-generating real estate. Modeled after mutual funds, REITs pool the capital of numerous investors. This makes it possible for individual investors to earn dividends from real estate investments—without having to buy, manage, or finance any properties themselves.

Why does it matter?

Different ownership structures can tell you what kind of thing you are dealing with. Is the owner local? Is it a business or a house? Can you even find an owner? Where is this money coming from to purchase properties? Where is my money going?

There are often larger structures at play in real estate and understanding these structures and who is behind them can help you know who to target and what it is stake.

Join local landlord groups on facebook. Fake accounts are useful to use when on social media.

Search tools for individuals:

<https://www.truepeoplesearch.com/>

<https://thatsthem.com/>

<https://www.fastpeoplesearch.com/>

TIPS/TRICKS: Stuck? Try a reverse address search. This can also possibly help you find if other businesses use the same address or other people in your building. Please be careful when searching the web and understand limits, boundaries and privacy when searching your neighbors who you may be organizing with. [Duck Duck Go](#) is a search engine that provides more privacy than google. Trust your gut, be discerning and understand the end goals.

Property owner address information is useful for pressure and direct action intervention tactics to prevent evictions. Nobody wants to hear that their neighbor is someone who evicts a lot of people from their home. For example, you can leave fliers in the neighborhood where your landlord lives, calling attention to unsafe living conditions. Nobody wants to live next door to a slumlord who evicts their tenants. By knowing where your property owner lives you also know their neighbors and where they live. Direct action, pressure campaigns and solidarity can provide a means to make the landlord understand that "it goes both ways." It can also be worthwhile to use business search tools to find if your landlord owns a trendy restaurant or other business that can apply really public pressure. A handy way to find a potential home address for a local landlord is to pull up all the properties they own - is only one co-owned with a spouse? Is everything under a company name except for one house? There's a great starting point.

Any further questions. Please reach out at hedsup@protonmail.com. We have a research team and access to further resources and we will work to answer any questions.

References for Graphics

City of Durham Numbers

Comprehensive Annual Financial Report, City of Durham, NC (2019)

<https://durhamnc.gov/ArchiveCenter/ViewFile/Item/4660>

- City Employees Paid by the Police (Total): 651
- Total Employees of the City of Durham (Civil): 2574

Durham Police Department 2017 4th Quarter Report

<https://durhamnc.gov/700/Public-Reports>

- Number of Officers (2017): 548

County of Durham, NC Numbers

Office of the Sheriff, Durham County, 2019 Annual Report

<https://www.durhamsheriff.com/home/showdocument?id=30290>

- Detention Officers: 221
- Deputies: 194
- Civilians: 83

County of Durham Housing Numbers

Durham County, North Carolina United State Census Bureau 2019

<https://www.census.gov/quickfacts/durhamcountynorthcarolina?>

- Population - 321,488
- Housing Units - 142,017
- Owner-occupied housing rate (number of owner-occupied housing units divided by the number of occupied housing units): 53.8%
- Number of owner occupied units = (Housing Units x Owner-occupied rate) = $142,017 \times 0.538 = 76,405$
- "Rental Occupied Housing Rate" = (100 - Owner-occupied housing rate, as percentage) = $100 - 53.8 = 46.2\%$
- Number of "rental" occupied units = (Housing units - number of owner occupied units) = $142,017 - 76,405 = 65,612$
- Population who rent (**Not all people are housed. This is a thought exercise and does not represent actual renting rates) = (Durham County Population x Rental Occupied Housing Rate) = $321,488 \times 0.462 = 148,528$

Pig Calculations:

Number of People with Legal Authority to Arrest You: (Sheriff's Deputies + Police Officers)
 $= 194 + 548 = 742$

Number of Paid Pigs in Durham County (#Durham City Employees paid by the Police Department and #Total Number of Employees at Office of the Sheriff, Durham County) $= 651 + 221 + 194 + 83 = 1,149$

Durham County Public = (Durham County Population - Number of People with Legal Authority to Arrest You) $= 321,488 - 742 = 320,746$

Proportion of People with Legal Authority to Arrest You = (Number of People with Legal Authority to Arrest You) / (Durham County Public) $\times 100 = (742 / 320,746) \times 100 = 0.23\%$

Proportion of Pigs In Durham County = (Number of Paid Pigs / Number of People Who Cannot Arrest You) $\times 100 = (1,149 / 320,746) \times 100 = 0.36\%$

Proportion of Durham County Public = (Durham County Public / Durham County Population) $= (320,746 / 321,488) \times 100 = 99.8\%$

% of Pigs by Population: ((Durham County Population - Number of Paid Pigs in Durham County) $(1,149 / 321,488) = 0.36\%$

Summary Ejectment. § 42-26. Tenant holding over may be dispossessed in certain cases.

(a) Any tenant or lessee of any house or land, and the assigns under the tenant or legal representatives of such tenant or lessee, who holds over and continues in the possession of the demised premises, or any part thereof, without the permission of the landlord, and after demand made for its surrender, may be removed from such premises in the manner hereinafter prescribed in any of the following cases:

1) When a tenant in possession of real estate holds over after his term has expired.

(2) When the tenant or lessee, or other person under him, has done or omitted any act by which, according to the stipulations of the lease, his estate has ceased. NC General Statutes - Chapter 42 11

(3) When any tenant or lessee of lands or tenements, who is in arrear for rent or has agreed to cultivate the demised premises and to pay a part of the crop to be made thereon as rent, or who has given to the lessor a lien on such crop as a security for the rent, deserts the demised premises, and leaves them unoccupied and uncultivated.

(b) An arrearage in costs owed by a tenant for water or sewer services pursuant to G.S. 62-110(g) or electric service pursuant to G.S. 62-110(h) shall not be used as a basis for termination of a lease under this Chapter. Any payment to the landlord shall be applied first to the rent owed and then to charges for electric service, or water or sewer service, unless otherwise designated by the tenant. (c) In an action for ejectment based upon G.S. 42-26(a)(2), the lease may provide that the landlord's acceptance of partial rent or partial housing subsidy payment does not waive the tenant's breach for which the right of reentry was reserved, and the landlord's exercise of such a provision does not constitute a violation of Chapter 75 of the General Statutes. (4 Geo. II, c. 28; 1868-9, c. 156, s. 19; Code, ss. 1766, 1777; 1905, cc. 297, 299, 820; Rev., s. 2001; C.S., s. 2365; 2001-502, s. 3; 2004-143, s. 2; 2011-252, s. 1; 2012-17, s. 3.)

HEDS Up! **Housing/Eviction** **Defense & Solidarity**

We are a group of Durham residents getting organized to defend against evictions. We are in the process of forming a rapid response network.

**To join, text "start" to
(919) 918-0330**

For more information,
contact us at
hedsup@protonmail.com

HEDS Up! **Defensa y Solidaridad** **Contra Desalojos**

Somos un grupo de inquilinxs de Durham organizándonos para defender contra desalojos. Estamos en el proceso de crear una red de respuesta rápida.

**Para unirse, mande un mensaje de texto "START" al
(919) 918-0330**

Para más información:
hedsup@protonmail.com

**ABOLISH THE CONDITIONS THAT MAKE
THE POLICE, PRISONS, EVICTION, AND
PRIVATE PROPERTY POSSIBLE.**