



April 27, 2022

Chairman Robert Craven
House Committee on Judiciary
Rhode Island State House
Providence, RI 02903

Re: Support of H7892 - Providing for the sealing and unsealing of court files in residential eviction proceedings

Dear Chairman Craven and Members of the House Judiciary Committee:

On behalf of the Housing Network of Rhode Island, our member agencies and the low-income Rhode Islanders we seek to serve, I write in support of H7892, legislation that provides for the sealing and unsealing of court files in residential eviction proceedings. This bill will also provide for the sealing of files in nonpayment cases settled through a rent relief program.

At present, eviction complaints remain on a tenant's court record even in cases where a complaint is dismissed or otherwise determined in their favor. Many landlords screen for prior eviction history. However, this screening does not actually inform the landlord whether a judgment was filed against the tenants, or any details of the case. As a result, landlords are not getting accurate information about prospective tenants; individuals and families with an eviction complaint – even one that was dismissed - are blacklisted, and systematically denied the ability to rent a safe and healthy new home.

H7892 will provide protection to these individuals and families by sealing the court file before it is made public. The file becomes unsealed if the landlord prevails in obtaining a judgment or demonstrates the tenant violated the terms of their stipulation agreement. This process achieves the court's aim of transparency and openness while alleviating a considerable, and patently unfair obstacle that tenants with an eviction filing face in securing safe and stable housing. Furthermore, often landlords will begin an eviction proceeding as retaliation to a tenant's complaint of health and safety violations. Tenants should not suffer permanent harm to their reputation simply for properly advocating for their own, and their family's health and safety.

For most of 2020, there was not sufficient federal or state rent and mortgage assistance. As Rhode Islanders recover from the peak of the coronavirus pandemic, many tenants who have been impacted by COVID-19 are only now able to seek and receive help with rent and utilities. Many landlords have understandably grown impatient with growing arrears or felt they had no choice but to file a nonpayment eviction. However, there is now massive statewide rental assistance available. To date, over \$157 million has already been paid directly to over 23,000 landlords. Tenants who are able to cure their rental arrears through a rent relief program should not be penalized with a permanent mark on their record which will exacerbate hardship and create additional barriers to find housing in the future.

Rhode Islanders already encounter significant challenges to accessing safe, healthy, and affordable homes. The lists of municipalities where it is affordable to rent are at historic lows; in 2020, there was no city or town in RI where a household earning the median renter income of \$36,078 could affordably rent. RI continues to have a tight rental market with low vacancy rates, compounding the difficulty of finding a unit. Renters are also disproportionately Black, Indigenous or people of color and are more impacted by evictions than renters who are white. The pandemic's effect on Rhode Islander's housing security is also reflected in the growing numbers of those experiencing homelessness. Passing H7892 will help prevent more families from being pushed unnecessarily into homelessness.

Removing this needless barrier to accessing a decent, safe, home for Rhode Islanders is an significant step to move housing and racial equity forward in our state. We strongly support H7892 and urge the Committee to recommend this legislation for passage expeditiously.

I'm happy to answer any questions the Committee might have, please feel free to contact me at (401) 721-5680 ext. 38 or mlodge@housingnetworkri.org.

Respectfully submitted,

A handwritten signature in cursive script that reads "Melina Lodge".

Melina Lodge, Executive Director