

Housing Committee JOINT FAVORABLE REPORT

Bill No.: HB-6528

Title: AN ACT CONCERNING THE SEALING OF EVICTION RECORDS.

Vote Date: 3/11/2021

Vote Action: Joint Favorable

PH Date: 3/4/2021

File No.:

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SPONSORS OF BILL:

Rep. Michel- 146th District

REASONS FOR BILL:

Currently, a landlord can consider a tenant's past eviction history when deciding whether to rent to that tenant. That eviction record, however, does not provide the context of why the eviction was filed in the first place, nor does it specify the outcome of the judgement. This bill would seal certain eviction records so that tenants are not denied housing for having a record through no fault of their own.

RESPONSE FROM ADMINISTRATION/AGENCY:

Connecticut Judicial Branch- External Affairs Division – OFFERS COMMENTS – stating that the bill is contrary to the judicial branch's mission to ensure "openness and transparency." The current e-filing system does not allow automatic sealing and unsealing, significant changes would be required to allow for that functionality. Until the system is changed, it would have to be done manually. Furthermore, there is no online access to sealed files. Implementation would require security upgrades to prevent hacking.

NATURE AND SOURCES OF SUPPORT:

Zoe Ackerman – **SUPPORTS** – stating Black and Hispanic residents are twice as likely to have evictions filed against them as a white tenant. Once a tenant is evicted, it becomes harder for them to secure affordable, stable housing. This bill helps protect such tenants.

Ivan Albert – **SUPPORTS** – stating the bill protects those who had eviction proceedings brought against them while they lacked counsel. Having an eviction filed against oneself can follow them for the rest of their lives.

Madison Alexander- Advocacy Intern at the Connecticut Coalition to End Homelessness– **SUPPORTS** – stating that a landlord having access to all eviction records, even when the tenant was found not at fault, makes it harder for a tenant find housing. Sealing such eviction records helps ensure an equal opportunity to housing.

Tasmyn Ambler– **SUPPORTS** – stating that the bill would help alleviate homelessness. Tenants who lacked representation in an eviction proceeding are often forced to accept judgment, making it harder for them to find housing in the future.

Liza Andrews- Director of Public Policy and Communications for the CT Coalition Against Domestic Violence– **SUPPORTS** – stating the bill prevents discrimination against tenants just because they had a case filed against them. Records would only be unsealed if a landlord can prove their allegations to a judge through a trial, protecting tenants. It is also an issue of racial justice as Black women are more likely to have evictions filed against them.

Ashley Blount– **SUPPORTS** – stating that due to a past eviction, she and her partner had difficulty finding a good apartment despite being a two-income household and having the means to pay.

Deborah Brody– **SUPPORTS** – stating people without access to stable housing have worse health outcomes. Evictions can lead to job loss and traumatic experiences for the tenants involved.

Olicia C.– **SUPPORTS** – stating that access to an attorney helped stabilize her housing situation. The bill would protect the rights of tenants.

Dione Dwyer– **SUPPORTS** – stating she has experienced an eviction firsthand. The bill would protect tenants who have undergone similar experiences.

Kathy Flaherty- Executive Director of the CT Legal Rights Project, Inc. – **SUPPORTS** – stating the bill would protect tenants who, through no fault of their own, had evictions filed against them but were never evicted.

Jose Garcia– **SUPPORTS** – stating that CT has some of the worst urban eviction rates in the country. Even if a tenant were to win their case, their ability to find decent housing in the future would be limited. This bill would help rectify this unjust situation.

Carolyn Graves– **SUPPORTS** – stating she was a victim of predatory lending in the past, and this bill would help protect tenants secure housing.

Peter Hepburn- Assistant Professor of Sociology, Rutgers University-Newark, Research Fellow at the Eviction Lab at Princeton University– **SUPPORTS** – stating research shows that evictions create "durable negative consequences for those facing the threat removal." Publicly available records often have incorrect or outdated information. Landlords then use these incorrect records to make uninformed decisions about a tenant's suitability.

Grace Holleran– **SUPPORTS** – stating that more than 40,000 residents face eviction when the moratorium is lifted. An eviction record can harm one's future housing prospects for the rest of their life.

Nancy Hronek- Attorney at the Greater Hartford Legal Aid- **SUPPORTS** – stating many tenants have fallen behind on rent due to the pandemic, which could leave the state awash with evictions. These people would then be marked for the rest of their life. Furthermore, landlords often use the threat of eviction to force tenants to move. This bill would protect tenants from discrimination.

Khadija Hussain– **SUPPORTS** – stating tenants could be denied housing in the future if this bill is not passed.

Salmun Kazerounian- Staff Attorney at the Connecticut Fair Housing Center- **SUPPORTS** – stating that this bill protects tenants who won their eviction proceedings from being denied housing. Even when tenants win in court, they can still be "blacklisted."

Danya Keene- Associate Professor at the Yale School of Public Health- **SUPPORTS** – stating that even the threat of eviction can damage a tenant's mental health and weaken their immune system. Eviction records create barriers to healthy, affordable, and stable housing for many.

Naomi Kunstler, LCSW- **SUPPORTS** – stating she has seen countless examples of veterans being denied housing due to a previous eviction or eviction proceeding, even if they won their case. This bill helps protect the most vulnerable.

Nathan Leys- New Haven Legal Assistance Association, Inc. - **SUPPORTS** – stating that people with eviction records are often penalized "no matter the merits or outcome" of their case. Black women and children are more likely to face evictions, leading to them living the rest of their life with a "scarlet E," hampering their ability to find housing in the future. Finally, the bill would protect tenants from inaccurate eviction records.

Kelly McConney Moore- Interim Senior Policy Counsel for the ACLU-CT- **SUPPORTS** – stating that this bill would prevent information about an unsuccessful or pending eviction from being used against a tenant.

Margaret Middleton- CEO of Columbus House- **SUPPORTS** – stating the bill protects tenants from homelessness.

Shanice Murray- **SUPPORTS** – stating eviction records can force people from homelessness. This bill would help protect vulnerable tenants, particularly people of color who are more likely to face eviction.

Ariel Nelson- Staff Attorney at the National Consumer Protection Law Center- **SUPPORTS** – stating that this bill would help protect tenants. Landlord's often automatically reject someone with an eviction record, regardless of the outcome. Furthermore, 22% of eviction records contain "ambiguous information on how the case was resolved or falsely represent a tenant's eviction history."

Maria Nunez- **SUPPORTS** – stating that she has been stuck with an eviction record through no fault of her own. Twice she has had an eviction filed against her, and twice she has won, but she still has trouble finding housing because of the record. Not only that, her now adult daughter has trouble finding housing because of the attempted evictions.

Abdul Osmanu- **SUPPORTS** – stating the bill is the bare minimum the state can do to support tenants.

Anne-Marie Peterson- **SUPPORTS CONDITIONALLY** – stating that she supports records being sealed where the tenant won the case, but still wants landlord's to be able to see if the tenant has committed serious crimes or was evicted for non-payment of rent.

Raphael Podolsky- CT Legal Services- **SUPPORTS** – stating that many, if not all, landlords will not rent to applicants with an eviction record. These records do not provide the context of the case, nor its outcome. This bill would prevent landlord's from discriminating against tenants who were never evicted despite an eviction record.

Sara Alice Prael- Central Connecticut Democratic Socialists of America- **SUPPORTS** – stating the bill would improve the lives of tenants.

Will Robbins- **SUPPORTS** – stating it would protect other tenants who suffer from aggressive landlords.

Michael Schramm- **SUPPORTS** – stating the bill would protect vulnerable tenants. This is of paramount importance due to the crisis COVID has created. Furthermore, tenants should not be followed by a 'scarlet E' for the rest of their lives.

Erin Sheehan- Legislation and Data Analyst for Connecticut Voices for Children- **SUPPORTS** – believing that the state should protect those with past eviction records so that they may get affordable, stable housing.

Linda Thorpe- **SUPPORTS** – stating that one of her clients has faced a bad landlord and was evicted. This eviction lead to a disruption of the client's job and the client's child's education.

The following from the Yale Law School Housing Clinic **SUPPORT HB 6528** stating that current tenant screenings are inadequate, inaccurate, and are damaging to tenants. Ninety percent of landlords use tenant screening services, but there is little regulation ensuring the information they give to landlords is accurate. Records would only show if a case was brought against a tenant, not the outcome of the case. This bill would not seal away records relating to non-payment of rent, breach of lease, nuisance, or serious nuisance judgments. It would, however, protect tenants from being blacklisted from renting:

Gregory Briker
Colin Burke
Rubin Danberg Biggs
Areeb Siddiqui
Ann Sarnak
Susannah Howe
Raymond Fang

Jacquelyn Oesterblad
Evan Walker-Wells
Nicole Cabanez
Samarth Gupta
Dana Khabbaz

The following **SUPPORT HB 6528**:

Kellyann Day- CEO of New Reach
Vanessa Liles
Noah
Jason Ruiz

NATURE AND SOURCES OF OPPOSITION:

Toni Akin – **OPPOSES** – stating the bill would increase the cost of doing business, causing landlords to leave the state.

Michael Ancona – **OPPOSES** – stating the bill would endanger future investment in rental property. It is not in the interests of tenants to live near or next to disruptive or dangerous tenants.

Diana Ashton– **OPPOSES** – stating the bill would allow a child predator to live next to a family with children without the knowledge of the landlord.

Erik Scarpati– **OPPOSES** – stating the bill would create financial risks for the landlords. They Seek to form mutually beneficial relationships with tenants. The state should instead search for tenant protections that assist landlords.

Michael Batista– **OPPOSES** – stating that it is important landlords be able to screen prospective tenants, this bill would hamper their ability to do so.

Stephen Briotti- Realtors-Briotti Group– **OPPOSES** – stating landlords need to be aware of the criminal records of prospective tenants for the safety of existing tenants and financial security.

Joseph Bruckermann– **OPPOSES** – stating the bill limits a landlord's ability to properly asses the risk of a prospective tenant.

Stephen Cornell– **OPPOSES** – stating the bill would make it harder for landlords to business, potentially forcing them to move to more landlord-friendly states.

Janice Curtis– **OPPOSES** – stating the bill makes it harder for landlords to come to informed decisions regarding a prospective tenant, increasing business costs. The bill would also encourage "professional squatters."

Joseph Dattilo– **OPPOSES** – stating that landlords should be able to consider a prospective tenant past behavior in order to make informed decisions.

Shannon DiPrato– **OPPOSES** – stating the bill would harm a landlord's ability to assess the risk of a prospective tenant.

Richard Dubina– **OPPOSES** – stating that a landlord needs to review the records to screen tenants. Removing a landlord's ability to do so would harm their businesses.

Casey Edwards– **OPPOSES** – stating that evictions and lawyers are expensive, and this bill would increase costs that landlords must consider. Instead of punishing landlords, the state should educate tenants on the importance of paying rent.

B. Glow– **OPPOSES** – stating these actions constitute the government stealing from landlords. The bill would harm the economy, harm landlords, and harm the state in the long-run.

Neil Griffin- CT Chapter of the National Association of Housing and Redevelopment Officials– **OPPOSES** – stating the bill would prevent landlords from properly evaluating the risk of a prospective tenant. The sealing of records subverts due process and harms landlords.

Chad Heindenis– **OPPOSES** – as the bill would take control away from landlords.

Robert Hinners– **OPPOSES** – stating that given the high costs of evicting a tenant, a landlord should be able to see if a tenant has been habitually evicted.

Robert Jackson– **OPPOSES** – stating the bill would allow criminals steal from landlords, as well as harm a landlord's risk assessment ability.

James– **OPPOSES** – stating that the state should be looking to protect landlords and their tenants. A past eviction is an indicator that an individual is a bad tenant. Furthermore, the bill would raise the cost of doing business, leading businesses to leave the state. It could also encourage bad renters to abuse the new system, to the detriment landlords.

Judy A. Januszewski– **OPPOSES** – stating a landlord should be able to know if a tenant is a criminal. This allows the landlord to adequately protect other tenants.

Paul J. Januszewski- President of the Greater Enfield Landlord Association– **OPPOSES** – stating that knowing a tenant's criminal history helps landlords make informed decisions. Bills like this support bad tenants and would lead to higher rental prices.

Michael and Nancy Jevits– **OPPOSES** – stating that the bill would limit their ability to decide who is a good tenant.

Karl Koch– **OPPOSES** – stating the bill would harm their ability to make informed decision about a prospective tenant.

Anastasia Konakowitz– **OPPOSES** – stating that the bill makes it harder for landlords to protect their other tenants from criminals. Criminals should not be a protected class.

Carol Langeland– **OPPOSES** – stating a landlord must know of a prospective tenant's previous evictions in order to make informed business decisions.

Jie Lu– **OPPOSES** – stating that it is dangerous for landlords if their tenants have a criminal record.

Art Mannion– **OPPOSES** – stating the bill would limit a landlord's ability to screen tenants.

Evon Muschinsky– **OPPOSES** – stating the bill harms a landlord's ability to safely choose among prospective tenants.

Helen Neifelt– **OPPOSES** – stating a landlord should have all information about a prospective tenant in order to make the most informed decisions possible.

Mahesh Nimmagadda– **OPPOSES** – describing how a previous tenant had destroyed one of their units. They believe that landlords should be able to screen tenants in order to protect their property and other tenants.

Felipe Pereira– **OPPOSES** – stating that people who have been evicted previously pose a financial risk, and a landlord should have that information before renting to such individuals.

Charles Peterson– **OPPOSES** – stating eviction records are a helpful tool that landlords can use to assess a prospective tenant.

Steve Portera– **OPPOSES** – stating the bill would harm a landlord's ability to make a living and could promote negative tenant behavior.

Lorraine Potvin– **OPPOSES** – stating the bill would put families and communities at risk by allowing bad tenants to go unnoticed.

Kim Regan– **OPPOSES** – stating that records of bad tenants need to be kept.

Carrie Rowley- The Connecticut Apartment Association– **OPPOSES** – stating the bill harms the development of affordable housing by making it more costly for landlords to do business.

Pam Savejs– **OPPOSES** – stating that tenants should be able to conceal criminal or eviction records from a landlord.

Julie Scolastico– **OPPOSES** – stating landlords need the ability to screen tenants for bad actors.

Helen Tu- **OPPOSES** – stating the bill is not in the interests of landlords as it stop them from being able to protect themselves and their other tenants.

Jennifer Zakrewski– **OPPOSES** – stating prospective tenants often lie about their work and rental history. This bill would limit a landlord's knowledge of a tenant's background, making it harder for them to make good financial decisions.

Hanlin Zhang– **OPPOSES** – stating concealing eviction records could lead to landlords giving housing to people with criminal records, putting themselves and their other tenants at risk.

The following OPPOSE HB 6528:

Ken Burkamp

Haiwen Ma

Marie Matta-Isona

Ram Patel

Jim Perras- CEO of the Home Builders and Remodelers Association of Connecticut

Yinghui Qin

Tara Ramlal

Kali Sukumar

Tom

Jim Treanor

Ana Ughetti

Anonymous

Reported by: Gabriel Turco

Date: 3/26/21