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Testimony Re: Senate Bill 912 Re: Residential Landlord and Tenant Act – Sealing of Residential Eviction Proceedings

Senate Judiciary Committee

May 30, 2023

Stephanie Geller, Deputy Director

Madam Chair and members of the Committee, thank you for the opportunity to provide testimony today. Rhode Island KIDS COUNT would like to voice its support for Senate Bill 912. We also want to thank Senator Mack for sponsoring this important legislation and Senators Kallman, LaMountain, McKenney, Euer, and Acosta for cosponsoring this bill. This act would allow an eviction record to be sealed by the court upon motion by any party or parties after the conclusion of the case. In ruling on the motion to seal, the court will consider the disposition of the case, including, but not limited to, whether the case was dismissed, whether rent claimed in the case has been paid through a rental assistance program, and if the case was resolved by stipulation, whether the parties have fulfilled the terms of the stipulation.

In Rhode Island, evictions are currently public record, and eviction complaints **remain on a tenant's court record even in cases where a complaint is dismissed or otherwise determined in their favor**. Increasingly landlords are using tenant screening companies, Internet searches, and other methods to access tenant eviction records. Many landlords refuse to rent to tenants with even one eviction filing on their record, regardless of the outcome of the case or other details that may offer additional context on a prospective tenant's past rental circumstances.

Many Rhode Islanders struggle to pay for their housing and others have faced systemic barriers that have prevented them from finding housing. Having an eviction record creates a huge barrier for tenants looking for housing, and multiple studies show that **African Americans, women, and people with disabilities have the highest rates of evictions and therefore are most likely to be harmed by current practices**.

Tenants who lost employment or income due to COVID-19 and were unable to meet their rent may have received rental assistance -- help paying their rental arrearages through our state's rental relief program -- and should not be penalized with a permanent mark on their record that will be a barrier to finding housing in the future.

Rhode Islanders already face many challenges to finding safe, healthy, and affordable homes. We urge you to pass this legislation and remove one of these barriers. Our recent *Policy Brief on Housing Instability and Homelessness Among Rhode Island Children* includes recommendations for preventing evictions and reducing the effects of evictions, and sealing eviction records is among these recommendations.

Thank you for your efforts to address the housing crisis in Rhode Island and for the opportunity to provide this testimony.