



1108 City Park Avenue, Suite 200
Columbus, OH 43206
614.827.0549
800.589.5888
www.ohiopoveritylawcenter.org

Ohio Poverty Law Center
Written Testimony in Opposition to HB390
House Financial Institutions, Housing, and Urban Development Committee
Wednesday, November 28, 2018

The Ohio Poverty Law Center's mission is to reduce poverty and increase justice by protecting and expanding the legal rights of all Ohioans living, working, and raising their families in poverty. We are a nonprofit law firm that works closely with the legal aid programs across Ohio.

We oppose House Bill 390 because it shortens the required notice period that precedes an eviction filing and could lead to more eviction filings.

According to a new report released this week, *Legal Aid Society of Columbus: Tenant Advocacy Project Evaluation*, in Franklin County, single mothers with young children, particularly African Americans, are at the highest risk of displacement. Eviction can set off a breathtaking downward spiral that may be nearly impossible to recover from: job loss; loss of possessions from being 'put out'; destabilized social networks; school transfers for children—trauma layered on top of trauma. Even just the filing of an eviction can haunt a tenant for years, impeding her ability to secure affordable, quality housing.

The purpose of the required notice that precedes an eviction filing is to give the tenant an opportunity to leave the premises on his or her own volition, avoiding the initiation of an eviction action and the chain of events that follow.

Changing the law to allow the notice time period to include Sundays and holidays limits a tenant's ability to find new housing and vacate premises. Business services, like banking and check cashing, truck rental, and leasing offices are not always available on Sundays and holidays. Including days where business cannot be transacted in the three-day notice places a burden on tenants who are willing to leave the premises prior to an eviction proceeding.

Courts are divided on how to count the three days, however, more cases that have examined the question found that in counting the three days, it made more sense to not count intervening weekends and holidays.

We respectfully ask that you consider the additional burden that may be placed on low-income tenants if HB390 is approved.