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**Senate Judiciary Committee  
Senate Bill 158 Sponsor Testimony  
Regards Expungement of Eviction Case Court Files  
September 14, 2021**

Chairman Manning, Vice Chair McColley, Ranking Member Thomas and members of the Senate Judiciary Committee, thank you for providing us the opportunity to provide sponsor testimony today on Senate Bill 158. This piece of legislation would allow a person to expunge the court files of eviction cases from public records.

In March 2021, the Census Household Pulse Survey estimated that over 4 million adults who are not currently on time with rent perceive they are at risk of eviction. In 2016, there were 2.3 million evictions filed in the U.S. Ohio is one of 10 states with the highest rates of eviction in the country, with 11 percent of renters at risk of evictions. The COVID-19 Eviction Defense Project estimates 800,000 Ohio renters could be at risk for eviction. Ohio cannot have 800,000 people out of their homes. This could also flood our courts with eviction cases.

Six cities in our state are on the list of National Top 60 cities for their high eviction rates. Before the pandemic, Franklin County had 18,000 evictions each year, with two-thirds of them involving minority women. Predominately Black neighborhoods experience the highest rates of evictions.

Under current statute, landlords across Ohio use court records of evictions to disqualify potential tenants. The information landlords use for renter disqualification does not have to include the circumstance of the eviction or how recently the eviction occurred. Presently, Ohio families that undergo evictions find out that a temporary hardship has turned into a lifelong barrier to obtain safe, stable, and affordable housing.

When access to housing is limited, low-income tenants who are displaced are generally forced into inadequate housing in less resourced, higher-crime neighborhoods. Going through an eviction can increase the likelihood of suicide and emergency room use, decrease credit access and scores, and can lead to homelessness and psychological trauma. This problem is especially traumatizing for children, negatively impacting their school performance and their emotional, social, and physical well-being and increasing the likelihood of lead poisoning, food insecurity.

Our legislation will give all Ohioans the ability to expunge eviction records through mandatory and discretionary expungements. It gives the court the ability to order a discretionary expungement if the court makes the following findings:

- ❖ The eviction case occurred over three years ago,
- ❖ The grounds for the eviction is no longer a justifiable predictor of future tenant behavior, and
- ❖ The expungement is clearly in the interests of justice, and those interests are not outweighed by the public's interest in knowing about the record.

After seven years, the court shall order expungement of all eviction cases from the eviction judgement. A landlord will have the ability to challenge a court if they feel that the tenant's eviction should not be expunged. Although evictions do occur in affluent areas, there is still disparity with eviction rates among communities with lower income levels and less education attainment. Mandatory expungements will help tenants who do not have the resources to obtain representation that helps them get back on their feet. Marginalized Ohioans will be able to overcome their hardship. In short, this legislation will provide ladders of opportunity for all Ohioans.

Thank you, Chairman Manning, for the opportunity to provide sponsor testimony. We are still working on updating SB 158, however, we will take any questions at this time.