



October 18, 2021

Chair Manning, Vice Chair McColley, Ranking Member Thomas, and Honorable Members of the Judiciary Committee:

Re: Support for SB 158

The Fair Housing Center for Rights & Research, of Cleveland Ohio, supports the passage of SB158 regarding the expungement of eviction case court files. Eviction records are a barrier to obtaining housing, a cause of homelessness and unsafe housing situations, and they exacerbate and prolong poverty.

Eviction is a significant fair housing issue. Eviction disproportionately affects people with disabilities who are more likely to find themselves behind on rent. Women are evicted more often than men. Black and Latinx renters are evicted more often than white renters. Black women with children are the group most likely to experience eviction: 1 in 5 Black women are evicted in their lifetime (3 times the rate of white women). Eviction proceedings favor the landlord. Renters rarely have legal representation in eviction proceedings (less than 10% of time nationally and 1.1% of the time in the City of Cleveland) while landlords have legal representation in more than 90% of the time nationally and 65.6% of the time in the City of Cleveland. Renters without lawyers often do not know how to raise potential defenses. Landlords have been observed abusing this power imbalance: 1/3 of all evictions are “serial evictions” where landlords target low-income renters with repeated eviction filings. Low-income renters lose automatically when they cannot get time off from work or secure childcare or transportation.¹

Among Cleveland-area families, an eviction record causes a “downward spiral” of housing instability and was related to increased moves, increased use in homeless services, decreased school attendance which affected children, and elevated risk for lead exposure.² The eviction record becomes a barrier to future housing that follows a person for years afterwards. It causes future financial distress including decreased access to future employment.³ Further, The Fair Housing Center has heard anecdotally from persons contacting our office for assistance that

¹ Jaboa Lake and Leni Tupper, “Eviction Record Expungement Can Remove Barriers to Stable Housing,” Center for American Progress (September 2021)

<https://www.americanprogress.org/issues/poverty/reports/2021/09/30/504373/eviction-record-expungement-can-remove-barriers-stable-housing/>

April Hirsh Urban, et. al., “The Cleveland Eviction Study: Observations in Eviction Court and the Stories of People Facing Eviction,” Center on Urban Poverty and Community Development Case Western Reserve University (October 2019) <https://case.edu/socialwork/povertycenter/sites/case.edu.povertycenter/files/2019-11/The%20Cleveland%20Eviction%20Study-10242019-fully%20accessible%28r%29.pdf>

² *Ibid.*

³ Institute for Children, Poverty and Homelessness, “Effects of Homelessness on Families and Children” (New York: 2015), available at <https://www.icphusa.org/wp-content/uploads/2015/09/Effects-of-Homelessness.pdf>. ↩

many families who have experienced eviction are passed over in favor of families who have not, resulting in significantly increased housing search costs (in the form of application fees) and, in some instances, homelessness or subsequent evictions for “holding over” following a nonrenewal of tenancy due to their inability to timely secure alternate accommodations. An eviction record creates a long-lasting barrier to housing which disproportionality affects people based on disability, ethnicity, sex, familial status, and race. It exacerbates homelessness and poverty, and it is of questionable predictive value of future behavior of a renter. **The Fair Housing Center strongly recommends passing of state law that allows for eviction record expungement.**

Respectfully submitted,

A handwritten signature in blue ink that reads "Carrie A. Pleasants". The signature is written in a cursive, flowing style.

Carrie A. Pleasants

Executive Director

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