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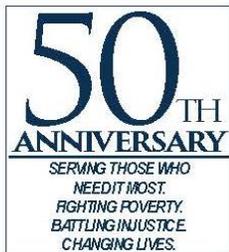
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Dear Senator Manning, Vice Chair McColley, Ranking Member Thomas, and members of the Senate Judiciary Committee:

Thank you for considering Senate Bill 158.

My name is Reem Subei and I am a senior attorney at Advocates for Basic Legal Equality, Inc. (ABLE) in the Toledo office. ABLE is a non-profit regional law firm that provides high quality legal assistance in civil matters to help eligible low-income individuals and groups in western Ohio.

Everyone deserves a second chance, especially when the lack of such a chance could leave them homeless. Eviction records are known as “tenant blacklists” because landlords use them to deny applicants who have eviction cases on their records.

As an attorney working with low-income families in Toledo, I see firsthand how difficult it is to access safe, healthy, and affordable housing. I work with folks who are maintaining employment and caring for a family, all while being doubled up with relatives or living on the streets.

Ohio’s tenants need a statewide eviction record sealing or expungement process.

Eviction records have always been false indicators, but they have never been as false as they are now. Covid-19 has unfairly shaken up our communities and destabilized many families. Evictions increased because many people lost their jobs, through no fault of their own, and others had to quit to take care of sick family members or children. These records do not represent these individuals as tenants but reflect the pandemic we have endured. Also, according to researchers from Princeton University, inaccurate and incomplete eviction records are common and unfairly penalize applicants. Further, a study recently published in Sociological Science found that Black and Latinx renters are disproportionately evicted from their homes. Another reason behind eviction records’ false indicative characteristic is that Ohio’s statutory landlord tenant law gives landlords the power to evict tenants if they are late on their rent — even if they manage to offer the outstanding rent before an eviction is finalized. With the overwhelming majority of tenants not having access to legal counsel during an eviction process, those tenants have at least double the chance of losing their eviction cases in court and thereby obtaining an eviction record.

Passing legislation to allow for eviction record sealing or expungement is a service to the entire state not just tenants with eviction records.



Homelessness, displacement, and housing instability caused by evictions have cascading effects that go beyond the immediate family facing eviction. Approximately one in three Ohio households rent their homes, according to a report by the National Low-Income Housing Coalition. Recognizing the need to break the cycle of poverty and racial inequity in housing, as a housing attorney, I write to you today requesting that you support statewide legislation to seal or expunge eviction records. A court's maintenance of eviction records harms all Ohioans, especially people of color, impeding their access to safe and affordable housing.

To enable Ohioans to fairly and equitably access safe and stable housing, it is crucial to end discrimination based on eviction records by creating a process to seal those records. Toledo's Housing Court took a step toward housing justice in October, 2020, when it issued a new court rule allowing tenants to seal their eviction records. ABLE is proud to have been part of that work and grateful to the court. Toledo's new eviction record-sealing process will now work to reduce the disproportionate impact of eviction records on Black tenants. But that is not enough.

A statewide process to seal or expunge eviction records is needed. This is not an uncommon legislative move. In fact, the state of Illinois took steps a few months ago to seal eviction records between March 2020 and March 2022 and limit the ability to unseal those records. An eviction record can force Black tenants into substandard housing that may contain lead or is located in poverty struck neighborhoods. In fact, blacklisting tenants undermines the entire court system, often causing tenants to accept unfair settlement offers from their landlords to avoid an eviction filing on their record.

I ask you to take this step to protect all tenants, especially tenants who faced evictions due to the pandemic from forever losing access to safe and affordable housing in Ohio.

Thank you for your consideration and service.

Reem Subei