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Sponsor Testimony, H.B. 59  
House Civil Justice Committee | February 28, 2023

Chairman Hillyer, Vice Chair Mathews, and members of the House Civil Justice Committee, thank you for giving us the opportunity to offer sponsor testimony on House Bill 59. This legislation creates an eviction defense fund and provides funding for legal representation for certain destitute tenants in housing court. Some of you may recall that this bill was introduced last General Assembly as HB 622.

More specifically, H.B. 59 establishes a right to counsel to tenants facing eviction who are at or below 250% of the federal poverty level and have at least one child. Legal assistance would be provided by legal aid societies or non-profits dealing with legal aid. The language is permissive, so that legal aid societies are not required to provide legal services – however, these organizations would be eligible for support through the eviction defense fund if they chose to provide these services.

According to the Eviction Lab, low-income women – particularly women of color – are at increased risk for eviction, and that risk increases for women who are survivors of domestic violence or who are single parents. The COVID-19 pandemic has only exacerbated this crisis. Data from the [Eviction Lab](#) show that since April 19th, 2020, the number of weekly eviction filings has been steadily trending upward in Cleveland, Columbus, and Cincinnati. Advocates have also seen a rise in eviction cases since the national eviction moratorium ended in August of 2021.

An eviction can be associated with adverse health outcomes such as maternal depression and poor child health, and recently evicted workers are 11-22% more likely to lose their jobs. In addition, a [study](#) by Case Western Reserve University shows that tenants in eviction court are primarily low-income, minority, female heads of household with children.

Studies on the impact of right to counsel programs throughout the county have demonstrated that tenants who have full legal representation in eviction cases are more likely to remain in their homes. Of the cases included in the Case Western study, only 1.1% of tenants had legal representation, compared with 65.6% of landlords. After [New York City](#) implemented “right to counsel” legislation, 84% of households represented by lawyers avoided displacement. In [Minneapolis](#), the twelfth city to enact a right to counsel program, fully represented tenants are four times less likely to use homeless shelters, resulting in shelter cost savings of more than \$231,000 per year.

Similar legislation establishing the right to counsel in housing court has already proven successful at the local level in Ohio. One year into the city of Toledo's eviction right to counsel [program](#), 88 percent of cases were successful in avoiding eviction. As a result, 177 adults and 190 children were able to stay in their homes. If implemented statewide, a right-to-counsel

program in housing court would benefit thousands of vulnerable Ohioans each year as they navigate eviction proceedings.

In summary, House Bill 59 will provide essential legal services to struggling tenants who may not otherwise be able to afford counsel. Eviction is a traumatic experience for many families, and with this legislation we have the opportunity to ease tenants' financial burdens during what is already a difficult time for them.

Thank you again for the opportunity to testify in support of this important legislation this afternoon. At this time, we would be happy to answer any questions that you may have.