

# Promote Housing Opportunity

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**Tuesday July 16, 2019 at 1 - 5 pm in Room A-1  
Judiciary Committee Hearing**

## **Support the HOMES Act**

**An Act Promoting housing opportunity and mobility through eviction sealing  
S. 824 and H. 3566**

- The *moment* an eviction case is filed a tenant has an eviction record. The mere fact that they were party to an eviction or housing case is being unfairly held against tenants when they try to rent a new place, even if the tenant did nothing wrong.
  - Children are also being named in eviction proceedings and burdened with eviction records that follow them into adulthood and complicate their efforts to obtain housing and credit.
  - In 2013 the Massachusetts Trial Court began putting eviction record information online. While the Trial Court's intent was to provide parties with remote access to manage their cases, the unintended consequence is that the information is being used as a free and unregulated tenant screening service.
  - Mistakes, errors, and common names result in incorrect information being reported to landlords and it exacerbates the already difficult process of finding housing.
- ➔ Pass the HOMES Act to establish a fair eviction record sealing process where outcome matters.
- Eviction records should only be online, publicly available or reported by a tenant screening company when a landlord wins on the *merits* or a tenant breaks an agreement and is evicted by a constable.
  - If an eviction case is not the fault of the tenant, is dismissed, or ends with a tenant satisfying an agreement, these records should not be made public.

