

Clerk of Supreme Court  
Attn: Deputy Clerk – Rules  
P.O. Box 1688  
Madison, WI 53701-1688

**RE: Petition 22-03 Eviction Record Retention**

Dear Honorable Justices:

I am writing on behalf of the Tenant Resource Center (TRC) in support of Petition 22-03 related to reducing the record retention period for evictions with no money judgements.

TRC’s mission is to advocate for housing justice and thriving communities. Based on almost 50 years working with tenants and landlords on rental rights and responsibilities and over 20 years of eviction court data, we know that eviction records harm individuals, families, and communities. The data demonstrates there are vast disparities in eviction actions and their impact based on the tenant’s race, immigration status, disability, and gender. Petition 22-03 is a step in the direction toward reducing the longstanding harm caused by eviction records and the underlying disparities.

The following are the number of households with an eviction filing in Dane County from 2011 to the present:

<b>Year</b>	<b># Of Filings</b>	<b>Year</b>	<b># Of Filings</b>
2011	2,543	2017	1,894
2012	2,388	2018	2,040
2013	1,995	2019	2,363
2014	2,064	2020*	1,168
2015	1,941	2021**	1,031
2016	1,922	2022***	1,058

*\*Local courts closed for filings for several months in Dane County*

*\*\*Federal eviction moratorium in place until Sept*

*\*\*\*Filings to date this year*

Reducing the number of years an eviction stays on a person’s record in even a small percentage of these total cases would have an enormous community-wide impact.

Eviction actions against tenants are often due to the inability to pay a small portion of one month’s rent, as little as a \$1 less than the amount owed (in some Dane County cases); for a misunderstanding about a lease rule on where or how to pay rent, pets, visitors, late fees, maintenance; retaliation for a tenant complaining about the conditions of their home; and many other reasons. Under current rules, any of these evictions may stay on a person’s record for 20 years.

Eviction records create a barrier to housing stability. We consistently hear from tenants that their eviction record prevents them from finding safe, affordable housing. When coupled with economic insecurity, tenants in this situation are more likely to experience homelessness and general housing insecurity. Housing insecurity results in greater stress on all other facets of a person’s life. Difficulty finding housing after an eviction may require someone to stay in an unsafe home or move in with a

relative or friend far from their job. Moving may result in greater commuting costs or job loss. Moving also may require a child to miss or change schools frequently, and result in a loss of childcare or a support network for the individual or their family. If a tenant cannot find an affordable home with a one-year lease, they may need to move frequently, which is costly and destabilizing. The result is continuing hardships, particularly for those households with children, and individuals with language barriers, disabilities, or health complications.

On the flipside, stable housing is a determinant of overall individual health and wellbeing. Stable housing is linked to better health outcomes, less chronic health problems, greater mental health, higher educational attainment, reduced stress, and other factors of wellbeing. It is also positively linked to a community's economic development and reduced poverty rates.

The current rules effectively create a 20-year barrier to stable housing for households that may have missed one rent payment. Limiting the length of time an eviction stays on a person's record could have a significant effect on long-term housing, health, and finances for individuals and families across the state.

We urge you to adopt Petition 22-03. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robin Sereno".

Robin Sereno  
Executive Director  
Tenant Resource Center