

It's time to pass fair eviction record sealing protections and prevent tenants from being stigmatized with an eviction record for life

In Massachusetts, the moment an eviction case is filed, a tenant has a publicly available eviction record on the Trial Court's website. Even if tenants did nothing wrong, won, or paid off rent, they are rejected from housing simply because an eviction case was filed.

"[T]he mere record of an eviction proceeding can serve as a long-term barrier to a tenant when he or she seeks future housing, regardless of the legal outcome."

Massachusetts Supreme Judicial Court, *Rental Property Mgmt Srvs v. Hatcher*, 479 Mass 542, 554 (2018)

What can tenants in Massachusetts do to seal an eviction record?

Nothing. While 11 states, plus Washington D.C. and additional municipalities, have successfully adopted eviction record sealing protections, there is nothing tenants in Massachusetts can do now to seal their eviction records. See [Evicted for Life](#).

Evictions disproportionately harm People of Color

Evictions disproportionately harm people of color. Black renters in Massachusetts are 2.4 times as likely to face eviction and have an eviction record than white renters and Black women are 3 times as likely than white women to have an eviction case filed against them and later dismissed.

55,906 evictions

have been filed in Massachusetts since January 1, 2023, the start of 2023-24 legislative session.


We can't wait for another legislative session to pass the HOMES Act.

Who supports eviction record sealing?

1. Judiciary Committee reported favorably *An Act promoting Housing Opportunity and Mobility through Eviction Sealing* (HOMES Act/[H.4356](#)) and included new language giving tenants the ability to petition to seal cases that are dismissed and cases that they win. H.4356 has been in Third Reading awaiting final vote by the House for 3 months.
2. Governor Healey included in her Housing Bond Bill/ [H.4138 \(Section 47\)](#) eviction sealing protections. The House eliminated these protections in its version of the Housing Bond Bill (H.4707).
3. Attorney General Campbell, Suffolk District Attorney Hayden, and upwards of [120 organizations](#), including large property owners and faith-based organizations, support passage of bills.
4. Municipalities including Boston, Chelsea, Salem, Northampton, Amherst, Cambridge, and Somerville have passed resolutions supporting passage of bills. [Resolutions supporting HOMES](#).

**Action
Needed
Now**

Urge the Senate to put eviction record sealing protections back in the Housing Bond Bill by including H.4356/ HOMES Act as reported favorably by the Judiciary Committee and **add automatic sealing for dismissals, cases that tenants win, and no-fault evictions.**

Turn over 

H.4356/HOMES Act as Reported Favorably by the Judiciary Committee

What does it provide?

Tenants may petition to seal an eviction record	
After winning a case	Immediately after case ends
After a case is dismissed	Immediately after case ends
In a no-fault eviction case	Immediately after case ends
In a non-payment case where tenant paid amount owed	As soon as amount is satisfied (paid)
In a non-payment case where tenant has not paid the amount owed because of a financial hardship	3 years after case ends with no nonpayment eviction during the 3 years <i>(debt is not forgiven)</i>
In a fault-eviction case	5 years after case ends with no fault eviction during the 5 years
Courts have the authority to waive requirements in the interest of justice and public safety, for example, shorten wait periods in cases involving domestic violence	For all types of evictions

Action Needed Now Include H.4356/ HOMES Act in the Housing Bond Bill and **add automatic sealing of eviction record for dismissals, cases that tenants win, and no-fault evictions**