

It's time to pass eviction record sealing protections so that tenants do not have an eviction record for life

ACTION NEED TODAY:

Urge The Affordable Homes Act Conference Committee to Support Eviction Record Sealing

The House and the Senate have now passed their versions of The Affordable Homes Act (aka the Housing Bond bill). The Senate **included eviction record sealing protections** in its bill; the House did not.

A Conference Committee of 3 Senators and 3 Representatives has been appointed to reconcile the differences between the Senate's Affordable Homes Act, [S.2850](#) and the House's Affordable Homes Act, [H. 4707](#)

Why is Eviction Record Sealing Needed?

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

While 11 states have successfully adopted eviction record sealing protections, there is nothing right tenants in Massachusetts can do now to seal their eviction records.

55,906 evictions have been filed in Massachusetts since the start of the 2023-24 legislative session. **We can't wait for another legislative session to pass the HOMES Act.**

"[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 Srvc v. Hatcher*, 479 Mass 542, 554 (2018)

For example, a tenant with a Section 8 voucher left her home of 16 years so her landlord could sell the building. The case was dismissed, but despite a steady work history, she was rejected from almost 100 apartments and found herself homeless for over a year.

Support Section 66, S.2850 in the Senate's Affordable Homes Act.

Turn over to see what Section 66 provides.

Section 66, S.2850 Senate's Affordable Homes Act (Housing Bond Bill)

Tenants may petition to seal an eviction record:	Section 66, S.2850 The Affordable Homes Act (Housing Bond Bill)
After winning a case	Yes – immediately after case ends
After a case is dismissed	Yes – immediately after case ends
In a no-fault eviction case	Yes – immediately after case ends
In a non-payment case where tenant has satisfied the judgment by paying the amount owed	Yes - as soon as tenant has satisfied the judgment
In a non-payment case where tenant has not paid the amount owed because of a financial hardship	4 years after case ends with no non-payment cases during the 4 years <i>(debt is <u>not</u> forgiven)</i>
In a fault-eviction case	7 years after case end, with no fault-evictions during the 7 years