

Expand Eviction Sealing to Help People Find a Home

(Support HB 1569, House Amendment 2: Rep. Ford)

Having an eviction case on your record hampers your ability to find a home, regardless of the outcome in court. Illinois eviction filings remain in the public record indefinitely, trapping people and families in poverty. Based on pre-pandemic data, more than 50% of eviction filings in Illinois do not result in a judgment against the tenant.*

Sealing provisions from the COVID-19 Emergency Housing Act [PA 102-005](#) sunset in 2022. As a result, Illinois has regressed to its strict standard for sealing eviction records.

House Amendment 2:

- Removes all mandatory sealing provisions.
- Abandoned cases may be dismissed after a year of no action. The landlord will get a notice before the case is dismissed to either further prosecute or dismiss the case. Many judicial circuits already follow this practice.
- Modestly expands a judge's discretion to seal a file by clarifying that a case can be sealed if the interests of justice are not outweighed by the public's interest in knowing about the record.
- Restricts tenant screening companies from reporting information about a sealed case. Landlords can still check references and consider any past evictions learned from a previous landlord.
- Makes explicit that landlords can provide written feedback for court's consideration on whether or not a case should be sealed and that no in person appearance is required.

The COVID-19 pandemic taught us the importance of ensuring everyone has a home.

- Landlords increasingly rely on reports from tenant screening companies that automatically weed out anyone with an eviction filing in their past.
- National and local data has consistently demonstrated that Black and Latinx renters, particularly female renters, are disproportionately at risk of eviction filing.

This bill follows a national trend towards expanding sealing of eviction records, including new state laws in Indiana and Utah.

* *Eviction in Illinois. Housing Action Illinois. February 2019. Available at <https://housingactionil.org/evict2019>.*



For more information contact: Rudi Hancock, Shriver Center on Poverty Law at 312-848-2591 or ruidihancock@povertylaw.org or Bob Palmer, Housing Action Illinois at 312-939-6075 or bob@housingactionil.org

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70 Organizational Supporters as of February 24, 2023

Access Living
AIDS Foundation Chicago
Alliance to End Homelessness in Suburban Cook County
Anew: Building Beyond Violence and Abuse
Cabrini Green Legal Aid
Carbondale Warming Center
Center for Changing Lives
Center for Disability & Elder Law
Center for Housing and Health
Champaign-Urbana Tenant Union
Chicago Area Fair Housing Alliance
Chicago Coalition for the Homeless
Chicago Housing Initiative
Chicago Housing Justice League
Citizen Action Illinois
Communities United
Community Allies
Connections for the Homeless
Cunningham Township
DOLL Incorporated
Farmworker and Landscaper Advocacy Project
Garfield Park Community Council
Habitat for Humanity of Champaign County
Heartland Alliance
HOPE Fair Housing Center
Housing Action Illinois
Housing Forward
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Illinois Chapter, American Academy of Pediatrics
Illinois Legal Aid Online (ILAO)
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Law Center for Better Housing
Lazarus House
Legal Action Chicago
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Metropolitan Tenants Organization
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NAMI Illinois
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North West Center Chicago
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Palenque LSNA
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The Network: Advocating Against Domestic Violence
The Rebirth of Greater Roseland
Together We Cope
Trilogy
Únete La Villita
United African Organization
Uptown People's Law Center
Working Family Solidarity
YWCA of the University of Illinois
ZAM's Hope Community Resource Center

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