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**Report: Eviction Filings Are Barrier to Finding Future Housing—Even for Tenants Who Are Not Evicted**

*39% of eviction filings do not lead to a judgment against the tenant, but these tenants still get rejected when applying to rent*

CHICAGO—A new report by Housing Action Illinois and the Lawyers' Committee for Better Housing (LCBH) explores how an eviction filing on the public record is a serious obstacle to finding housing for people whose cases did not result in them actually getting evicted. This is true even in cases where the tenant didn't violate their lease in any way. *Prejudged: The Stigma of Eviction Records* shows that 39% of eviction cases filed in Cook County during the past four years did not result in an eviction order and/or other judgment against the tenant. The report recommends enacting state legislation that would hold eviction case records from public view until cases are completed to protect these individuals from unfair barriers to renting a home in the future.

"This is an issue that affects about 15,000 people in Cook County each year," estimates Mark Swartz, Executive Director of Lawyers' Committee for Better Housing. "There is no judgment against them, but there is a filing on their record. When they go to rent, prospective landlords too often reject them based on screening reports that don't reflect the outcome of a case."

*Prejudged: The Stigma of Eviction Records* presents data from more than 100,000 residential eviction cases filed in Cook County between 2014 to 2017, as well as local perspectives from tenants, legal aid lawyers, and a landlord. The stories include that of Phyllis, a senior living with a disability whose rent payment was lost or stolen by a property management employee, leading her landlord to file for eviction for nonpayment of rent. Despite a settlement in court, the filing on her record led to rejections in response to 10 apartment applications, and she was only able to find a home after having the case sealed.

Many landlords purchase reports from tenant screening companies, which collect information from eviction courts and aggregate it with other publicly available data about tenants. Their recommendations are often based solely on the existence of an eviction case, regardless of context or outcome. Under current law, this public record can be incredibly hard to get rid of, especially with so much data available on the Internet, which may or may not be accurate. It does not matter if the eviction filing was unwarranted, happened a very long time ago, or was resolved without any finding that the tenant owed rent. Many landlords will refuse to rent to someone if they just see an eviction filing on their record, which increases housing instability.

The report's authors are advocating for state legislation, House Bill 4760, sponsored by State Representative Theresa Mah. This bill would seal eviction case records at the point of filing until

the court decides on the case. Since most filings do result in an eviction order, the majority of cases will wind up being unsealed.

“People shouldn’t be harmed by online court records that don’t accurately reflect their ability to be a good tenant,” says Bob Palmer, Policy Director at Housing Action Illinois. “HB 4760 is intended to protect tenants whose cases could eventually be sealed under current law and others from ever having the case come up in online records that too often unfairly damage their ability to secure housing in the future.”

Read ***Prejudged: The Stigma of Eviction Records*** »

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**Housing Action Illinois** is a statewide coalition formed more than 30 years ago to protect and expand the availability of stable, affordable housing throughout Illinois. We unite a network of more than 160 member organizations, including housing counseling agencies, homeless service providers, affordable housing developers, public housing authorities, and government agencies. We support these members through capacity building, public education and organizing, and policy advocacy at the federal, state, and local levels. Our policy victories include establishing the Illinois Affordable Housing Trust Fund, the Homeless Prevention Program, and the Rental Housing Support Program. Everything we do is driven by our vision of an Illinois where everyone has a good, affordable place to call home.

**Lawyers’ Committee for Better Housing (LCBH)** is the only legal aid agency in the Chicago area that advocates solely for renters. LCBH represents low- and moderate-income renters living in the private, unassisted housing market facing housing instability. LCBH empowers truly disadvantaged renters, prevents wrongful eviction, and combats sub-standard living conditions so renters have a safe and decent place to live. LCBH provides free, comprehensive legal representation so that renters have a trusted advocate in court. LCBH programs holistically address both the short-term housing crisis and its underlying causes by combining legal services with education, outreach, supportive services and policy initiatives, so families can move from a path to homelessness to one of safe and stable housing.