



August 19, 2022

Re: Rule Petition 22-03, In re Amendment to SCRs 72.01 (8), 72.01 (9), and 72.02 (10), Relating to Retention of Records in Eviction Cases

I write in support of rule petition 22-03, filed on March 29, 2022, by Attorney Korey C. Lundin, on behalf of Legal Action of Wisconsin, Inc. The petition asks this Court to amend Supreme Court Rules (SCR) 72.01 and 72.02 to shorten the retention period for certain eviction cases.

Community Advocates, Inc. has provided housing services to clients facing housing insecurity for decades. We are the state's largest nonprofit housing assistance provider. We work with tens of thousands of clients every year who are experiencing housing insecurity or have experienced it in the past. Since the start of the COVID-19 pandemic, we have provided more than \$63.3 million in federal emergency rent assistance funds to more than 10,000 households.

We have worked with numerous partners to found and operate the Milwaukee Rental Housing Resource Center. We have partnered with property owners to prevent thousands of eviction filings and to address the effects of eviction filings and writs on tenants, property owners, housing advocates, courts, and other stakeholders. Finally, we are recognized experts and advocates on housing policy reforms to improve housing affordability, quality, and stability for Wisconsinites.

There is no question that eviction records accessible via CCAP are used by property owners to discriminate against prospective tenants, and by employers to discriminate against current and prospective employees. Our tenants consistently experience this discrimination. There is no prohibition on using these records to refuse to rent to a prospective tenant. These records also tell an incomplete story of why the eviction was filed, and what its outcome was.

These records also disproportionately affect prospective tenants of color. Decades of purposeful policy choices like redlining and racially restrictive covenants mean that tenants of color are far more likely to live in high-poverty neighborhoods with high eviction rates. Previous research has found that African American women are particularly harmed by eviction.

Reducing the records retention period for any eviction action that had no money judgement entered would help solve these vexing housing insecurity problems.

I encourage you to please conduct a public hearing on this topic. There is much to be learned from the lived experiences of people who experience this discrimination, those who work directly with them, and advocates for policies to prevent others from experiencing this discrimination.

Thank you for your consideration of this comment in support of Rule Petition 22-03. I urge this Court to grant the petition to help those who have already experienced an eviction filing and those who will experience an eviction filing in the future.

Mike Bare

Research and Program Coordinator
Community Advocates, Inc.