



August 24, 2022

Clerk of Supreme Court
Attention: Deputy Clerk-Rules
P.O. Box 1688
Madison, WI 53701-1688

RE: Petition 22-03 Eviction Record Retention

Dear Honorable Justices,

YWCA Madison is on a mission to eliminate racism, empower women, and promote peace, justice, freedom and dignity for all. YWCA Madison has been in continuous operation since 1909, and we are the largest provider of affordable housing to single women in Dane County. We envision and work to cultivate a community where people of all racial, ethnic, socio-economic, gender identity, and ability are valued and treated with dignity and respect, and where discrimination, hate, and injustices are eliminated. To this end, YWCA Madison is an agent for social change.

With this mission and vision, we are compelled to write on behalf of Legal Action in support of Petition 22-03 related to reducing the length of time eviction records are held. The women and families we serve face many barriers to housing and economic stability including, and not limited to: surviving domestic violence, abuse, and trauma; mental and physical health needs; alcohol and drug abuse and dependency; lack of education; and experiences with immigration and the criminal legal systems. We know that the difficulties finding and maintaining housing incurred by the people we serve are compounded by a carefully designed system which perpetuates racism, classism, and sexism and keeps people from accessing safe and affordable housing. Eviction records are a part of that system.

Over the last decade and since the onset of the Covid-19 pandemic, the cost of living in the City of Madison has skyrocketed, and the housing vacancy rate has consistently been under 4%, an incredibly low rate that makes any rental housing difficult to obtain and allows landlords to pick and choose between applicants. A court record maintenance system which allows landlords to wield evictions both as a tool and a threat perpetuates a historically racist cycle.

At YWCA Madison, we see the negative impact that eviction records have on our participants as they search



YWCA IS ON A MISSION

for rental housing. For one example, one of our recent participants who had long-term stable employment, income, and a Section 8 voucher could not obtain rental housing due to having three records of evictions – even though one of the evictions was dismissed and one is over a decade old. Unfortunately, this participant ended up losing her Section 8 voucher due to landlords not approving her for housing and running out of extensions. Without this voucher and due to the impact of the rule that keeps eviction records on file for up to 20 years, the participant experienced prolonged homelessness that could have been avoided.

Additionally, we have seen how eviction records push already marginalized people into poorer quality housing at increased rates – a recipe for further eviction proceedings. In Madison, we are seeing an increase in non-renewals of leases with little or no reasoning, and combined with a noticeable increase in application fees, security, and “good faith” deposits across the rental housing market, we are witnessing a housing access and affordability crisis that will further harm our community at large.

At YWCA Madison, we are also landlords and property managers for our residential building located at 101 E. Mifflin Street in Madison, Wisconsin. We provide over 100 units of affordable housing and shelter to the women, children, and families in our community who face barriers to housing stability. At YWCA Madison, it is our practice to not consider eviction records that are over a year old for potential renters because we know that people can make changes in their lives which enable them to be good renters. We believe housing is a human right, and know that the housing and eviction system are flawed and work against people who deserve a place to call home.

Therefore, given our extensive expertise housing our community, we urge you to adopt Petition 22-03 to reduce the harm of eviction records by reducing the length of time they are held from 20 years to 1 year in most cases. Thank you for providing us with the opportunity to comment on this proposed rule.

Sincerely,



Vanessa McDowell, CEO, YWCA Madison
& YWCA Madison Advocacy Team

eliminating racism
empowering women
ywca



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