

Legislature Passes Law Enabling Tenants to Seal Certain Eviction Records

On January 6, 2021, the Senate and the House passed [H. 5250](#), An Act enabling partnerships for growth. The bill is now before the Governor to sign. Sections 84 and Sections 85 would provide new protections for tenants to seal eviction records, including:

- Landlords are **prohibited from naming minors** in an eviction complaint. If a minor is named, the court must expunge their name from all court records and electronic docket entries. *Section 84*
- Tenants with **no-fault evictions** have the legal right to petition the court to seal their record any time after the conclusion of the case. Tenants do not need to give parties to the original action a notice that they are filing the petition. *Section 85, Section 15(b)*
- Tenants **with non-payment evictions** have the right to petition the court to seal after paying off a judgment. Tenants do not need to give parties to the original action a notice that they are filing the petition. *Section 85, Section 15(g)*
- Landlords who obtain a money judgment in an eviction action must within 14 days after a tenant has paid off the judgment **file a notice of satisfaction with the court**. If a landlord does not comply, a tenant may directly petition court to seal the record and be entitled to costs and reasonable attorney's fees. *Section 85, Section 15(g)*
- The Trial Court must create a **form for tenants to petition** to seal their record. The court may process such petitions administratively without a hearing. *Section 85, Section 15(b) and (g)*
- **Consumer reporting agencies** are prohibited from reporting a sealed record or using it when scoring a tenant. *Section 85, Section 15(e)*
- **Applications used to screen tenants** for housing or credit must include a statement that tenants may answer “no records” if their eviction record is sealed. *Section 85, Section 15(f)*
- The Trial Court has the authority to make available for scholarly, educational, journalistic or governmental purposes de-identified **data** in sealed records. *Section 85, Section 15(c)*