

Testimony in Support of H 7766 and 8111
House Judiciary Committee
Submitted by Danika Wayss
March 18, 2026

Dear Chairperson and Members of the Committee,

The Rhode Island Center for Justice submits this written testimony in support of passage of H 7766 and 8111. The Center for Justice practices landlord tenant law and is one of two organizations in the state that represents tenants in substantial numbers. Each year we represent over 1,000 Rhode Islanders in court proceedings and advise thousands more about their rights under state and federal law. Through this work, we have become intimately familiar with the struggles faced by Rhode Islanders as they navigate a difficult housing market.

H 7766 is an important revision to the eviction sealing statute that would reduce the risk of unfair harm to tenants. Currently, a tenant may seal an eviction record, by a motion, once every five years. This temporal restriction is unnecessary and harmful for a few reasons. There are already suitable guardrails in place to ensure that tenants are not able to obscure the fact they owe money to one or more landlords. If the eviction matter was dismissed, if the eviction was resolved by a stipulation and all elements of the stipulation were satisfied, if the monetary judgment found by the court was satisfied in full, or if the eviction was dismissed for lack of prosecution. To the extent a tenant can seal an eviction according to these standards, it is because a landlord has been made whole through satisfaction of the judgment or because the landlord doesn't care enough about the issue to follow through with a court action.

Additionally, we represent many tenants who are being evicted unlawfully, and it is not just on technicalities. We have represented many tenants who were brought to court for non-payment even when they did not owe any money at all. We have represented tenants whose tenancies were being terminated for unlawful reasons. It is profoundly unfair to force a tenant to use their one chance to seal every five years when they never should have been the defendant in an eviction in the first place. H 7766 would solve this problem by allowing the tenant to seal the record of the unlawful eviction without worry that they would have the right to seal another eviction if the same thing were to happen again in the following five years.

The limit of one eviction sealing every five years hinders community members' ability to find, apply to, and be accepted as tenants in this area and is forcing them to move out of the area. The mere presence of an eviction filing is a permanent stigma against a tenant, whether or not the

eviction filing was proper and lawful. Take, for example, the case of a tenant who was a defendant in a non-payment eviction that was wrongfully filed because no money was owed. The tenant then seals that record because the case was dismissed. A year later, and with a new landlord, the tenant does actually fall behind one month's rent because of a medical emergency forcing them to leave work. The new landlord properly files a non-payment eviction and the parties work out a payment plan that the tenant adheres to, paying the landlord every penny owed and staying in the apartment. When it comes time for that tenant to move, there will be a record of eviction for non-payment of rent that makes it much more difficult for them to secure safe and healthy housing. The second eviction would have been eligible for sealing except the tenant already used their one shot every five years to seal a bogus case. The tenant is in the position of paying for the previous landlord's mistake for years. That is profoundly unfair and not uncommon. A tenant's community is more than where they live; it is where they work and where they send their children to school. Uprooting someone from their community disrupts their livelihood and their entire social support system.

Further, the Rhode Island Center for Justice would like to express our support of H 8111, which would amend R.I.G.L §34-18-60 by adding exceptions to the once every five years sealing restriction.

When an eviction notice is defective on its face it must be dismissed because the court has no subject matter jurisdiction to hear the case. No facts are heard regarding that case and the landlord will have to refile a new eviction matter to be heard. Sometimes our clients are brought back to court on the same matter and their case is still dismissed but on a factual basis now. This leaves a community member with two eviction cases on their record even though a court found in favor of them twice and both cases were dismissed. Even worse, some of our clients have been subject to as many as four defective evictions over a span of several months, all of which were dismissed. A dismissal is grounds for sealing under the current law, but an individual can only dismiss one every five years. Exempting cases that are dismissed for lack of subject matter jurisdiction from the five year limitation would allow someone under these circumstances to not have to navigate the struggle of finding housing with an unjust and unfair record of eviction.

Lastly, H 8111 would create an amendment that states that any minor child listed as a defendant to an eviction matter will have that matter sealed and there will be no five year limitation on those sealings. This change appropriately recognizes that when a child grows up and has to establish their own housing we should not be giving them anything other than a clean slate to start off with.

When tenants have the opportunity to seal evictions off their record they are more likely to stay stably housed in their communities. On behalf of the Rhode Island Center for Justice, I thank you for your consideration of this written testimony in support of passage of H 7766 and 8111.

Sincerely,

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