

To the Honorable Members of the House Judiciary Committee,

*I respectfully submit this testimony in **Opposition to H8385**, though if my concerns could be addressed in a future version of the bill, I would hope to be able to support it.*

I'm writing to respectfully oppose H8385.

I understand and support the intent of the bill, to prevent young adults from having an eviction on record under their name even though they were not signers on the lease (perhaps because they were minors when the lease was signed).

My understanding, though, is that courts do not currently provide a way for eviction records to be sealed for a single party, and instead sealing would apply to the whole case—i.e., all parties—which would mean that any time a minor or 18-21 year old is named in an eviction filing, the entire eviction would be sealed including for adults who *did* execute the lease, so for that reason I must unfortunately oppose this bill.

If a mechanism is established in the courts to allow for eviction records to be sealed on an individual basis without affecting the sealing status of the other parties, perhaps with the inclusion of judicial discretion to ensure sealing is only applied in appropriate cases, then I might be able to support a future version of the bill.

I also want to note that the way the bill is written, the proposed 34-18-60(f) could apply to young adult roommates such as for college students or young professionals; the bill states, "... any individual between the ages of eighteen (18) and twenty-one (21) named in an eviction proceeding who did not execute the lease and has a **familiar** relationship with any tenant named in the eviction" [emphasis mine].

It is common for young adult roommates to have one responsible person "on the lease" and then other roommates might move in or out over time. With the bill's current language, other young adults who are nonetheless living in the rental unit and paying rent, would also be eligible for sealing despite living in the unit and as de facto tenants, which I don't think is the intention of the bill. This "familiar" language may be a drafting error, but nonetheless I still feel I need to discuss its implications.

The intent of this bill is laudable but with the courts' current sealing system, it has the significant and unfortunately unacceptable side effect of also sealing eviction records for adult lease signers. If this side effect was eliminated, and the possible

drafting error above fixed, I would look forward to hopefully being able to support a future version of this bill.

Thank you for your consideration.

Sincerely,

Anthony Thompson