

Bill would allow eviction records to be sealed in Massachusetts

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Tenants who faced evictions in the past could petition to have those court records sealed under a bill advancing through the Massachusetts Legislature.

The Judiciary Committee unanimously voted last week to advance its version of legislation (H 4934) aimed at limiting the obstacles that residents face acquiring rental housing based on past history. Supporters of the proposal include the Boston City Council, which last year called for passage of a different version. The council argued that because eviction records are permanently public that makes it more difficult for those who have faced housing removal in the past to find stable homes.

Under the committee version of the bill, anyone with a court record of a fault eviction or lessor action can file a petition to have the record sealed if no additional action has been brought against them for three years. No-fault evictions could be sealed under a similar process without a mandatory time frame outlined in the bill. Parties in the original case would not need to be notified of the petition to seal the records for fault or no-fault evictions.

The legislation also bans consumer reporting agencies from disclosing the existence of or using eviction records unless they had been available for public inspection in a court within 30 days of a report. It also forbids filing of actions against minor defendants.

Judiciary Committee Co-chair Rep. Claire Cronin's office told the News Service that the committee reported the bill favorably "with no dissenting votes." The measure was sent to the House Ways and Means Committee. Housing protections have emerged as an important focus during the COVID-19 pandemic and related economic crisis, though the underlying bills on which the committee version was based had been filed at the start of the legislative session in January 2019.