

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

RE: Petition 22-03 Eviction Record Retention

We are Coulee Tenants United, a group of individuals in and near La Crosse, WI, that formed in 2019 and supports renters in Western Wisconsin by informing them of their rights and relevant community resources, and speaks to elected and administrative officials about challenges faced by renters.

We support the proposed rule change, “(22-03) In re amendment to SCR 72.01(8), 72.01(9), and 72.01(10), relating to retention of records in eviction cases”. During the past three years, we have spoken with many renters in Western Wisconsin who have faced difficulty finding stable housing due to eviction filings on their records. We strongly suspect that landlords search court records and reject applicants who have eviction filings against them, whether or not the court ruled against the tenant or an eviction was actually carried out. This unfairly punishes renters. The reason landlords would do this is that they assume that if another landlord saw fit to file an eviction, then the tenant must be problematic, without regard for the possibility that it was the landlord who was in the wrong.

Furthermore, landlords use eviction not just as a tool to remove a tenant who violates a lease, but also as a threat to intimidate tenants. Knowing that the mere filing of an eviction can seriously harm their efforts to find housing, tenants are easier to coerce, and this can be used to compel tenants to agree to conditions contrary to the lease or law. Renters generally lack legal knowledge or the resources to hire counsel and have little, if any, ability to protect themselves from this kind of exploitation. Thus, a landlord can quite literally trap a renter by denying them the ability to live elsewhere. The removal of eviction cases from court records after one year prevents misuse of public records by landlords and secures desperately needed tenant protections, and we therefore encourage this rule change.

Kevin Hundt, Chair  
Coulee Tenants United  
Aug. 23rd, 2022