

August 25, 2022

Clerk of the Supreme Court
P.O. Box 1688
Madison, WI 57301

Re: Rule Petition 22-03, In re Amendment to SCRs 72.01 (8), 72.01 (9),
and 72.02 (10), Relating to Retention of Records in Eviction Cases

Dear Wisconsin Supreme Court Justices:

I am writing these comments regarding Rule Petition 22-03 on behalf of the Metropolitan Milwaukee Fair Housing Council (MMFHC). MMFHC is a private, nonprofit with a mission to promote fair housing throughout the State of Wisconsin by combating illegal housing discrimination and by creating and maintaining racially and economically integrated housing patterns.

We urge you to adopt the proposed rule to limit the time an eviction record is retained with the courts. Evictions in the Milwaukee area and around the country disproportionately affect women of color. Families with eviction records are often unable to find stable and safe housing, which has exponential negative effects on a variety of community outcomes.

One of MMFHC's programs, called Opportunity MKE, works with low-income families to assist them in finding housing in low-poverty, low-crime neighborhoods. Through this work we frequently encounter families that cannot obtain housing because of a record of an eviction on CCAP. In almost every case these families were headed by women of color.

Frequently a head of household's record on CCAP is not an accurate reflection of that family's rental history. Additionally, in many cases the eviction was due to non-payment of rent, however, the families we work with have new rent assistance vouchers which provide the financial stability which wasn't in place at the time of the eviction.

Housing providers' over-reliance on CCAP as a measure of a person's ability to be a good tenant exacerbates the disparate impact of eviction on women of color. Too often the families we work with forfeit their rent assistance voucher because they can find a housing provider to rent to them. Losing a voucher means losing a chance at housing stability and all the benefits that come with it.

I appreciate this opportunity to comment on this important issue. The change of this rule to correspond with the petition will have a significant effect on families and their housing stability. Again we urge you to adopt Rule Petition 22-03.

Respectfully submitted,

William R. Tisdale, President and CEO