

STATE OF KANSAS

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Proponent Testimony in Support of HB 2357

Chair Humphries and Members of the House Judiciary Committee:

I am here today to support HB 2357, a bill aimed at making the eviction process fairer, more accurate, and less damaging for tenants while still ensuring property owners have access to necessary legal remedies. This legislation introduces commonsense reforms that will improve housing stability, economic security, and community well-being in Kansas.

The Problem in Current Law that HB 2357 is intended to address:

Currently, affordable housing is a great challenge in Kansas. One factor that plays into this growing problem are property management companies that generate records that are one-sided and become a permanent searchable negative history that will haunt these renters forever. The system is not balanced. There is a lack of due process that harms many people in the state. On one hand, property owners need to know their tenants are responsible, but renters also need to have a way to protect themselves from exaggerated or inaccurate records. This bill simply provides renters a path forward in resolving their record and assure landlords that they are a responsible tenant.

Key Provisions of HB 2357:

- 1. Eviction Filings would be Sealed Until Judgment** - Eviction filings will remain sealed until a judgment is entered in favor of the property owner. Cases that are dismissed, never progress, are resolved through mediation, or result in a ruling for the tenant will remain sealed.
- 2. Requiring Mediation Before Eviction Proceedings** - Unless a judge determines it would not be beneficial, mediation will provide tenants and landlords an opportunity to resolve disputes before reaching court, leading to better outcomes for both parties.
- 3. Eviction Expungement After Two Years** - If a tenant satisfies the judgment and no additional eviction judgments occur within two years, the eviction record will be expunged, giving tenants a fair opportunity to secure stable housing.

In Kansas, **eviction filings are permanent**. Even if the case was dismissed, resolved, or filed in error. Current laws allow tenant screening companies to scrape court records and generate "risk scores" leading to automatic rejections by property owners -even for cases where tenants were never evicted.

This can cause long term and ongoing issues for individuals and their families being able to find and qualify for housing.

Requiring eviction mediation aligns with Kansas' commitment to resolving disputes through mediation in other civil cases. **Mediation benefits all parties by reducing court costs, promoting payment agreements, and preventing unnecessary displacement.**

Sealing eviction records until a final judgment is reached ensures landlords evaluate applicants based on accurate information. A case filed in error or dismissed should not prevent someone from securing housing. Given that eviction cases move quickly, often within three weeks, this safeguard does not significantly impact landlords but makes a substantial difference in preventing wrongful rejections.

Finally, allowing eviction expungement after two years for satisfied judgments ensures that housing decisions are based on a tenant's current financial and rental history, rather than an outdated record.

HB 2357 provides a balanced approach that protects both property owners and renters while preventing unjust and permanent records with no opportunity for resolution.

I urge the committee to support this important legislation.

Representative Leah Howell