

# South Bend Tribune

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LOCAL

## New Indiana law helps people seeking housing by sealing dismissed eviction cases



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### Key Points AI-assisted summary ⓘ

Indiana's Senate Bill 142 automatically seals eviction records when cases are dismissed, aiming to help people secure housing.

Past eviction records, even if resolved, can hinder access to future housing, employment, and financial services.

A free eviction sealing clinic will be held on July 15 in South Bend to assist residents with the process.

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**SOUTH BEND** — When past eviction issues are resolved between landlords and tenants, sometimes the mere legal record of it can lessen chances of people getting housing in the future because of past circumstances.

Senate Bill 142, signed into law by Gov. Mike Braun, allows for automatic sealing of evictions when cases are dismissed. State lawmakers joined members of [Notre Dame Law School's Eviction Clinic](#) and representatives of [Volunteer Lawyers Network](#) and [Portage Township Trustee's Jason Critchlow](#) in explaining the far-reaching assistance this law will have with people.

Evictions and the affordable housing crisis are related, Critchlow said, because evictions are a legal record that remain with the tenant and are easily accessible for any future landlords, banks, or employers to view.

People can check their court records on the state's database [mycase.IN.gov](https://mycase.IN.gov).

"Very often, that's used as a reason to deny someone housing when they are applying for a new housing situation," Critchlow said. "The landlord will look them up, see they have evictions on their record and refuse to rent to that individual."

Although evictions can expose bad tenants who may get into trouble for such things as damage and irresponsible actions, Critchlow said, other times tenants may not be aware of actions taken against them by landlords.

"Sometimes people get evictions on their records for very reasonable circumstances, but even worse, sometimes they get evictions on their record and actually have no idea that they have evictions on their record," he said.

For example, a tenant with a landlord who has not provided heat might leave the rental unit. The landlord may file eviction papers even though the tenant has gone to another housing option. Years later, Critchlow said, the eviction case may show up in a future check of legal records, unbeknownst to the person.

Other times, he said, people do make bad decisions and get into housing issues with landlords. However, when that person matures and is in a better, responsible position and seeks housing, Critchlow said, the earlier records can be a negative mark and are not a good indicator of that person's ability to be a responsible renter.

Both [Indiana Rep. Maureen Bauer, D-6th](#), and [State Sen. David Niezgodski, D-10th](#), said they supported the measure, saying that if people have made things right with their eviction cases, they should not be held back.

"We know we have a high rate of evictions in St. Joseph County, and these evictions can haunt renters and other families for years," Bauer said. "That can block housing, jobs and stability, so this program removes that barrier and moves you into that right direction."

Judith Fox, a retired clinical professor emerita of law from the University of Notre Dame, said in clinics she has held on housing matters, she has seen many people with past convictions that they never knew about. She recounted one woman who

often would be late with her rent payments, for example. She had a landlord who would file an eviction action each time she would be late. She had 15 eviction cases against her, Fox said, but the woman was never actually evicted.

Fox said a law passed two years ago allowed people to have their evictions sealed when the issues surrounding it were resolved and the case was dismissed by the courts. This new law allows more exceptions for sealing eviction records.

"With this new law, we are asking people to take a second look, come see us again," Fox said. "It clears up the main reason you may not be able to find housing, and there's a lot of things we can do for you now that we could not do."

Niezgodski said the new law will help people clear their names when it comes to finding affordable housing. "Senate Bill 142 is a meaningful step forward. It allows courts to seal eviction records under certain circumstances, giving people a second chance by removing a major barrier to stable housing," he said.

Students from Notre Dame Law School's Eviction Clinic provided research, co-authored a white paper analyzing the key legal issues and testified in support of the new law, working with the bill's author, [Indiana State Sen. Liz Brown R-15th](#).

## **Eviction sealing clinic**

Portage Township will hold an eviction sealing clinic from 4 -7 p.m. July 15 at its offices at 340 Columbia St. in South Bend. Lawyers from the Volunteer Lawyer Network will be available to assist residents with the process of sealing their eviction records. Residents interested in this service are encouraged to attend.

Additionally, Critchlow said, in partnership with Volunteer Lawyer Network and [Notre Dame Law School](#), staff will perform free eviction look-ups and assistance with sealing as part of future intake applications for township assistance.

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