

Testimony in Support of HB 2357

House Judiciary Committee

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This bill presents a fair modification to the current eviction process in Kansas.

Currently, the eviction process from placement of a notice to vacate, through the initiation of court action to removal of the tenant by the Sheriff can take a little as 19 days. Statutorily, there is not time for a pause for finding another solution.

Nationwide, cases that go into mediation have a much better result for all parties. More than 50% of cases reach an agreement. Often, that agreement results in the tenant staying in the home. Eviction mediation programs in Sedgwick and Douglas County can tell their own stories of success, in those cases where mediation was tried.

The ability to appear in court by Zoom , at the defendant's option, is another key advancement of this bill. Low wage workers, struggling to pay rent, are currently forced to miss hours of work (and wages) in order to contest or even respond to an eviction action. That is not a trade-off they should have to make. An appearance by Zoom can certainly minimize the amount of work missed by tenants. Landlords will also benefit by not having to appear at the Courthouse for these hearings.

The opportunity to seal eviction records from public view is another important part of this bill. Prior to 2023, court records were located only in the county courthouse. They could be viewed, but only in person and onsite. While the adoption of the Kansas District Court Public Access Portal, court records in 105 counties can be viewed remotely.

Court filings alone rarely tell the whole story. Sealing records initially will allow landlords and tenants some time to resolve the case without public view. The automatic sealing process will take advantage of the capacity of the District Court's case management system, while protecting a tenant from the long lasting stigma of an eviction that was resolved by full payment of the amount of rent due.

I believe HB 2357 should be passed as presented to this committee.¹

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