



INTERIM RECORD

A SUMMARY OF INTERIM ACTIVITIES

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Lawmakers discuss dismissed eviction expungement

By Jordan Hensley - LRC Public Information

FRANKFORT — A proposed House bill would seek to make housing more accessible for some renters who have been named in dismissed eviction cases.

Rep. Susan Witten, R-Louisville, told the Interim Joint Committee on Judiciary on Oct. 16 that she plans to refile House Bill 534 from the 2025 legislative session in 2026.

Dismissed evictions would be automatically sealed and would not appear on a renter's record under the proposed legislation. The bill would also create a process for expunging the names of children from eviction records.

"This bill is important as it increases the ability for working Kentuckians to have access to safe, affordable housing, while explicitly maintaining the property rights of the landlord," Witten said. "This bill makes no change to the eviction collection or damage claims property owners may have. It also enhances access in rental markets by ensuring the records used are actually accurate."

Witten said the legislation is the result of the Kentucky Housing Task Force.

"For the past two years, we've worked really hard to try to identify state-level solutions to Kentucky's housing crisis," she said. "While most of the solutions that we have identified address the housing on the supply side, there are other solutions that we have identified that can help eliminate unnecessary road



blocks for Kentuckians to have access to housing, especially affordable housing."

George Eklund, director of education and advocacy for the Coalition for the Homeless – Louisville, told the committee Kentucky's main driver of eviction is the state's lack of housing. He

said Kentucky is short around 210,000 units.

If a landlord decides to sell a property and requires the tenant to leave the property, sometimes the tenant has no where else to go.

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“Because of our tight rental market, (the tenant) can’t find a place to move to, and so the landlord is left with one option and that is to file an eviction,” Eklund said.

Inability to pay is another main cause for eviction.

“Six out of every 10 low-income Kentuckians are already spending more than 50% of their wages on rent,” Eklund said.



One small financial disaster, like an unexpected expense or a missed paycheck due to illness, can set tenants back months on rent, he added.

Eklund said statistics show 60% of renters resolve their eviction notice and have the case dismissed. Kentucky Administrative Office of the Courts data shows 110 out of Kentucky’s 120 counties have fewer than 16 dismissed evictions a month.

Eklund said he and Witten have been working with the county court clerks to make sure the bill would be easy to implement.

“Luckily for us is that (the legislature) has created an automatic expungement process for dismissed criminal actions, so this is hopefully something that we could emulate as we put this into action,” Eklund said.

Witten said she wanted to reiterate to the committee that her proposed bill would maintain a landlord’s right to screen tenants based on legal criteria, like proof of income or credit checks.

“They can still file evictions,” Witten said. “They can still collect unpaid rent, and they can still pursue legal claims or seek charges for property damage.”

Sen. Michael J. Nemes, R-Shepherdsville, said he did have reservations about the legislation at first. As a landlord, he wants to know if a tenant was kicked out for nonpayment. He also wants to ensure landlords could still seek out missed payments and reimbursement for damages if needed.

Witten said the legislation would not prevent a landlord from seeking a small claims action or sending debt off to collections.

Nemes said he is in support of removing dismissed evictions from someone’s record in the event they fall on hard times, are unable to pay but then are able to resolve the issue.

Rep. Stephanie Dietz, R-Edgewood, and Rep. Nima Kulkarni, D-Louisville, were co-sponsors of Witten’s bill this year.

Dietz said the legislation would help single parents struggling financially due to a missed child support or spousal support payment.

“I think this will help some of those single parents, so they’re not living in a hotel, paying a weekly amount when they could be getting a rental and putting their family in a home,” she said, adding she looks forward to being a primary co-sponsor of the legislation again in 2026.

Kulkarni said the bill addresses a “very real, tangible” barrier to housing and proposes an easy solution.

“This is, just to my mind, very low-hanging fruit, and it would help a lot of families avoid being homeless,” she said.

The Kentucky General Assembly cannot act on legislation until the 2026 legislative session begins on Jan. 6.



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