



RE: Oppose **HB 98 Automatic Expungement of Eviction Records**

Mr./Madame Chair and Committee Members:

The New Mexico Business Coalition (NMBC) represents hundreds of businesses and thousands of New Mexicans. We focus on making New Mexico a better place to live and work, with abundant good-paying jobs to provide for our families.

NMBC opposes HB 98 Automatic Expungement of Eviction Records for the following reasons:

1. Lack of Accountability: Eviction is often a legal process that reflects serious issues, such as non-payment of rent, property damage, or repeated lease agreement violations preventing landlords from accessing relevant eviction history. This could potentially allow tenants with a history of eviction to repeat problematic behaviors in new rental situations without their new landlords being aware of their prior evictions.

2. Impact on Landlord-Tenant Relationships and Rental Markets:

Eviction records are essential in the rental market by providing landlords with the information they need to make informed decisions about prospective tenants. Automatic expungement could drastically reduce transparency in rental applications, leading to increased uncertainty and risk for landlords.

3. Potential Harm for Rental Market: This bill would make it harder for landlords to identify future problems. This could harm the rental market, as landlords may unknowingly rent to individuals with a history of eviction and problematic behavior, leading to increased disputes and legal issues.

4. Administrative Costs and Overburdening the System: The bill requires the Administrative Office of the Courts (AOC) to manage the expungement of eviction records. It estimates that implementing the bill could cost an initial nonrecurring \$50,000, with recurring efforts costing half a full-time equivalent employee after FY26.

While HB 98 aims to provide opportunities for individuals who have faced eviction, the bill's automatic expungement provisions pose several risks and concerns. These include increasing uncertainty for landlords and potentially overburdening administrative systems.

For the reasons stated, NMBC opposes HB 98 Automatic Expungement of Eviction Records and urges you to say 'NO' to its passage.

Thank you for your consideration of my comments,

A handwritten signature in blue ink, appearing to read "Carla J. Sonntag".

Carla J. Sonntag
President & CEO