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S T A T E   O F   R H O D E   I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N   A C T

RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT

Introduced By: Representatives Tanzi, Shekarchi, Biah, Ajello, Cassar, Shallcross Smith, Morales, Cortvriend, Ranglin-Vassell, and Kislak

Date Introduced: June 24, 2021

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1   SECTION 1. Chapter 34-18 of the General Laws entitled "Residential Landlord and Tenant

2 Act" is hereby amended by adding thereto the following section:

3   **34-18-58. Sealing and unsealing of court files.**

4   (a) All actions arising under §§ 34-18-35, 34-18-36, and 34-18-38 shall be sealed upon

5 filing provided that, actions filed under §§ 34-18-35, 34-18-36, and 34-18-38 shall be unsealed as

6 described in subsections (a)(1) and (a)(2) of this section:

7   (1) Eviction actions arising under §§ 34-18-35, 34-18-36, and 34-18-38 shall be unsealed

8 upon entry of a final judgment in favor of the plaintiff after trial or default judgment; or

9   (2) Eviction actions arising under §§ 34-18-35, 34-18-36, and 34-18-38 resolved by

10 stipulation shall be unsealed upon motion filed by the plaintiff where the plaintiff demonstrates

11 either:

12   (i) The defendant breached the stipulation; or

13   (ii) The defendant continues to owe unpaid rent or damages to the plaintiff after vacating

14 the rental unit.

15   (b) All actions arising under §§ 34-18-35 and 34-18-38 shall be dismissed and sealed if the

16 past due rent is paid through a rent relief program.

1   SECTION 2. This act shall take effect on July 1, 2021.

EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

A N   A C T

RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT

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1   This act would provide for the sealing and unsealing of court files in residential eviction

2   proceedings and provide that any eviction for nonpayment of rent, in which the rent arrearage is

3   paid through a rent relief program shall remain sealed permanently.

4   This act would take effect on July 1, 2021.

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