

## **House Committee on Judiciary**

Minutes of Meeting  
2020 - 2021 Interim  
January 27, 2021

### **I. CALL TO ORDER**

Representative Randal L. Gaines, chairman of the House Committee on Judiciary, called the meeting to order at 10:03 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Randal L. Gaines, chairman  
Representative Kathy Edmonston  
Representative Jason Hughes  
Representative Edmond Jordan  
Representative Mandie Landry  
Representative Sherman Q. Mack, vice chairman  
Representative Joseph A. Marino, III  
Representative Nicholas Muscarello, Jr.  
Representative Joseph A. Orgeron  
Representative Charles Anthony Owen  
Representative Thomas A. Pressly

#### **MEMBERS ABSENT:**

Representative Robby Carter  
Representative Michael T. Johnson  
Representative Frederick Douglass Jones  
Representative Alan Seabaugh

#### **STAFF MEMBERS PRESENT:**

Claire Stevenson, attorney  
Diane Merritt, committee administrative assistant

#### **ADDITIONAL ATTENDEES PRESENT:**

Megan Sanders, committee administrative assistant  
Myrtis Jarrell, sergeant at arms

Danny Leming, sergeant at arms  
Robert Singletary, division director

### III. DISCUSSION

Representative James, 445 N. 12<sup>th</sup> Street, Baton Rouge, LA 70802, (225) 343-3633, presented House Resolution No. 28 of the 2020 Second Extraordinary Session, a study on how to mitigate the long-term consequences of eviction records and rent debt on renters and the economy.

Arielle Butler, 7585 Main Street, Zachary, LA 70791, (225) 505-0241, spoke for information only. Ms. Butler discussed her personal experience with eviction due to COVID-19 related nonpayment of rent. She also discussed the difficulties she faced when trying to find a new rental because of the eviction she now has on her record. Ms. Butler answered questions from Chairman Gaines.

Justin Kozak, Center for Planning Excellence, 100 Lafayette Street, Baton Rouge, LA 70801, (630) 805-1575, spoke for information only. Mr. Kozak presented a PowerPoint presentation entitled "Louisiana Rental Stress," Exhibit A, which is included in the committee records.

Representative Pressly questioned whether the numbers in the presentation were federal numbers or state numbers. Mr. Kozak stated that the numbers in his presentation were state numbers.

Mr. Kozak stated that despite the federal moratorium on evictions, evictions were still occurring and rent debt was piling up, both of which have significant long term effects for residents of the state. Mr. Kozak addressed questions from Representative Edmonston regarding the CARES Act.

Maxwell Ciardullo, Louisiana Fair Housing Action Center, 1340 Poydras Street, New Orleans, LA 70112, spoke for information only. Mr. Ciardullo answered questions from Representative Edmonston regarding the federal eviction moratorium as part of the CARES Act and the current Centers for Disease Control and Prevention moratorium.

Representative Gaines asked Mr. Kozak if any of the information he presented had been used to create any type of policy to protect renters. Mr. Kozak stated that, to his knowledge, the information had not been used by any policy making body.

Representative Edmonston asked how the information was obtained. Mr. Kozak replied that the information was obtained through unemployment numbers for each parish as well as census data.

Stephen Wright, Louisiana Chapter of the American Academy of Pediatrics, 695 Kiskatom Lane, Mandeville, LA 70471, (318) 663-3810, spoke for information only. Mr. Wright read a statement by Dr. Kathryn Leifheit, which was received by committee staff prior to the meeting and distributed to members. Representative Gaines asked the witness about whether the figures given were on a

national level or based on California only. Mr. Wright stated that the numbers were on a national level but did include state level data.

Kenny Francis, Agenda for Children, 8300 Earhart Boulevard, New Orleans, LA 70118, (504) 233-8426, spoke for information only. Mr. Francis testified regarding the negative impact of evictions on children, the instability caused by same, and the effects of those instabilities on children's educational progress, emotional and mental well being, and overall health. Mr. Francis provided a handout entitled "Agenda For Children", Exhibit B, which is included in the committee records.

Hannah Adams, Southeast Louisiana Legal Services, 1340 Poydras Street, Suite 600, New Orleans, LA 70112, (504) 529-1000, spoke for information only. Ms. Adams testified about eviction procedures and the process of reporting evictions to tenant screening agencies and credit bureaus. Ms. Adams provided several examples of inaccurate reporting that directly affected her clients.

Ms. Adams discussed the following with the committee: suits against consumer reporting companies; data on evictions carried out because of a failure to file a COVID-19 declaration; the number of attorneys focusing on evictions at Southeast Louisiana Legal Service; and whether or not there was any pending legislation on these matters.

*Representative Mack in the chair.*

Amythist Kearny, Southeast Louisiana Legal Services, 200 Guidry Dr., Hammond, LA 70403, (985) 345-2130, spoke for information only. In response to Representative Edmonston's question about whether or not Southeast Louisiana Legal Services received money from the state, Ms. Kearny replied that a portion of funding from the Louisiana State Bar Association from interest paid on escrow accounts was received.

Ms. Kearny testified about the lack of uniformity in the way courts and justices of the peace were handling evictions and moratoriums. Ms. Kearny provided the committee with examples of client cases handled in a variety of manners.

Leigh Rachal, Acadiana Regional Coalition on Homelessness & Housing, Inc., 211 Gilbeaux Road, Lafayette, LA 70506, (337) 967-0995, spoke for information only. Ms. Rachal provided information on the increase in homelessness around the Acadiana regional area since the start of the COVID-19 pandemic and how Acadiana Regional Coalition on Homelessness & Housing was trying to combat this increase.

*Representative Gaines in the chair.*

Maxwell Ciardullo discussed the need to prevent eviction records due to COVID-19 hardships from following tenants for many years to come.

James Rather, Apartment Association of Louisiana, 4030 Lonesome Road, Suite B, Mandeville, LA (985) 727-7501, spoke for information only. Mr. Rather discussed with the committee the need for cleaning up eviction records and the way those records are reported, but he stated that the Apartment Association of Louisiana was against sealing eviction records.

Representative James discussed getting committee members additional information so that a proposal for potential legislation could be created. Representative James stated that Keith Cunningham of Louisiana Housing would be invited to the next committee meeting to discuss, in detail, federal money allotted to Louisiana for eviction and rent debt relief.

Maxwell Ciardullo discussed with Representative Edmonston what money, if any, was for landlords out of the CARES Act and what additional money for tenants and landlords would be allotted to the state from the second relief bill.

Jennifer Ansardi, Apartment Association of Louisiana, P.O. Box 55805, Metairie, LA 70055, (504) 606-7700, spoke for information only. Ms. Ansardi provided information regarding the CARES Act and additional money expected from the second relief bill. Ms. Ansardi discussed with the committee various forms of relief money expected from the federal government.

Representative Mandie Landry asked Chairman Gaines to request from the governor's office the amount of money from the CARES Act allocated to landlords and tenants.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 8 for information only. Copies of these statements are included in the committee records.

#### **IV. ANNOUNCEMENTS**

Representative Gaines announced that a written report with specific proposals is due to the Legislature by March 1, 2021; therefore, the House Committee on Judiciary would meet again before March 1 to compile a report. Representative Gaines also asked that members submit any proposals on possible solutions to these challenges to him or to the staff.

#### **V. ADJOURNMENT**

The meeting was adjourned at 12:15 p.m.

Respectfully submitted,

Chairman Randal L. Gaines  
House Committee on Judiciary