

Haley Passione
Regarding the Joint Policy Committee
Hearing on Eviction Record Sealing
February 12, 2024

Executive Summary

My name is Haley Passione and I have been a resident of Pittsburgh since 2018. From July 2019 to June 2020, I lived in a home that was deemed “unfit for human habitation” by the Allegheny County Health Department. As a tenant in Pennsylvania, one of the few irrevocable rights I have is the right to live in a habitable home. As a result, my roommates and I chose to begin withholding rent until our property management addressed the issues in our home. After several months there was an eviction complaint filed against us. In the end, the case was found in our favor with no money owed and no possession granted. Still, to this day, I struggle to be approved for housing due to the mere existence of an eviction filing in my name in the UJS system. My experience as a tenant is just one of thousands of stories that are examples for why eviction filings records should be sealed when they do not result in an actual eviction.

In Support of Eviction Record Sealing

In July 2019, two friends and I moved into an updated 3 bedroom, 2 bathroom row house in Pittsburgh's Bloomfield neighborhood. The rent was affordable and the home was located close to work and school for all of us. We loved that it had a small deck off of the kitchen, similarly sized bedrooms, central A/C, and ample storage space in the basement.

Within a few months of living in the home, we realized why the rent was so affordable. There was a leak in the roof that became so bad it would leak all the way from the ceiling to the third floor to the second floor staircase. The full bathroom in the basement was non-functional, the sink had no hot water and the shower had no water at all. Once it became cold outside, we discovered that there was no heat to 2 of the 3 bedrooms, the upstairs bathroom, or the den on the second floor. During one maintenance visit, the workers told us that there was no duct work in place for there to be heat in any of those rooms. Other issues included windows that were not properly sealed, a mouse infestation in the basement, and questionable electrical work.

My roommates and I made numerous attempts to contact our management company and have them fix the issues we were experiencing. Maintenance made a couple visits to the property; on one occasion they were able to force heat to the bathroom and the den on the second floor, but there was no solution for the lack of heat in the bedrooms. The solution for the leaking roof was placing tarp on the area of the roof that the leak was coming from. However, the majority of our phone calls and emails went unanswered. Eventually, we contacted the Health Department for an inspection. On November 27, 2019, the Allegheny County Health Department deemed the property “unfit for human habitation” based on a plethora of violations.

By this time, through research and consultation with an attorney, we learned that we had the right to withhold rent due to habitability issues. We kept the money in a savings account and continued asking our management company to fix the issues with our home. On January 9, 2020, our property management filed for eviction based on the unpaid rent. After two hearings, the judge decided that we were within our rights to withhold the rent money based on the ongoing habitability issues. The case was judged in our favor without any money due to our property management. We moved out of the property within a few months and, still, none of the habitability issues had been corrected by the time we moved.

This was four years ago and, to this day, simply having an eviction filing in my name has caused landlords to deny me housing. I’ve attempted getting ahead of it by being upfront with potential landlords about the filing and everything that led to it. Still, I’ve been denied from more than one apartment that I was otherwise fully qualified to rent based on my income and credit rating. While I consider myself lucky that we received a judgment in our favor, the mere existence of this record makes attempting to find housing a stressful process that I have come to dread. The sealing of eviction filings that do not end in an actual eviction would be life changing for myself and thousands of tenants across the commonwealth.