



HOUSING STABILITY FOR NEW MEXICANS

New Mexico Center for Housing Law

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About NMCHL

The New Mexico Center for Housing Law (NMCHL) is dedicated to promoting housing stability and justice for people of the state of New Mexico.

NMCHL focuses on pressing housing issues affecting the lives of New Mexicans from both a legal and policy perspective. The Center works in collaboration with state legislators, city council members, grassroots organizations, nonprofits, and housing justice organizations and advocates to promote and implement policies and initiatives that address and improve housing stability across the state. The Center also engages in activities such as conducting research, developing policies, and publicizing communications in line with its mission.

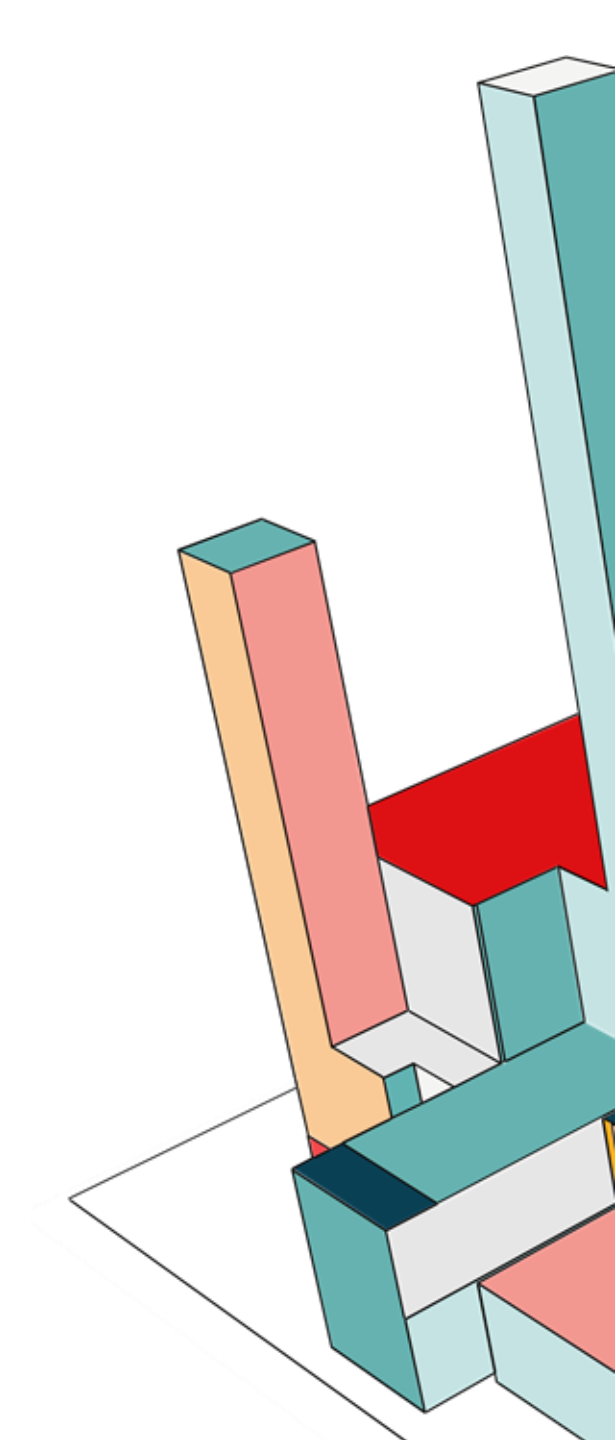
NMCHL was founded in 2023 and is currently run by University of New Mexico Law School Professors Elizabeth Elia, Allison Freedman, and Serge Martinez.

HOUSING STABILITY CONTEXT



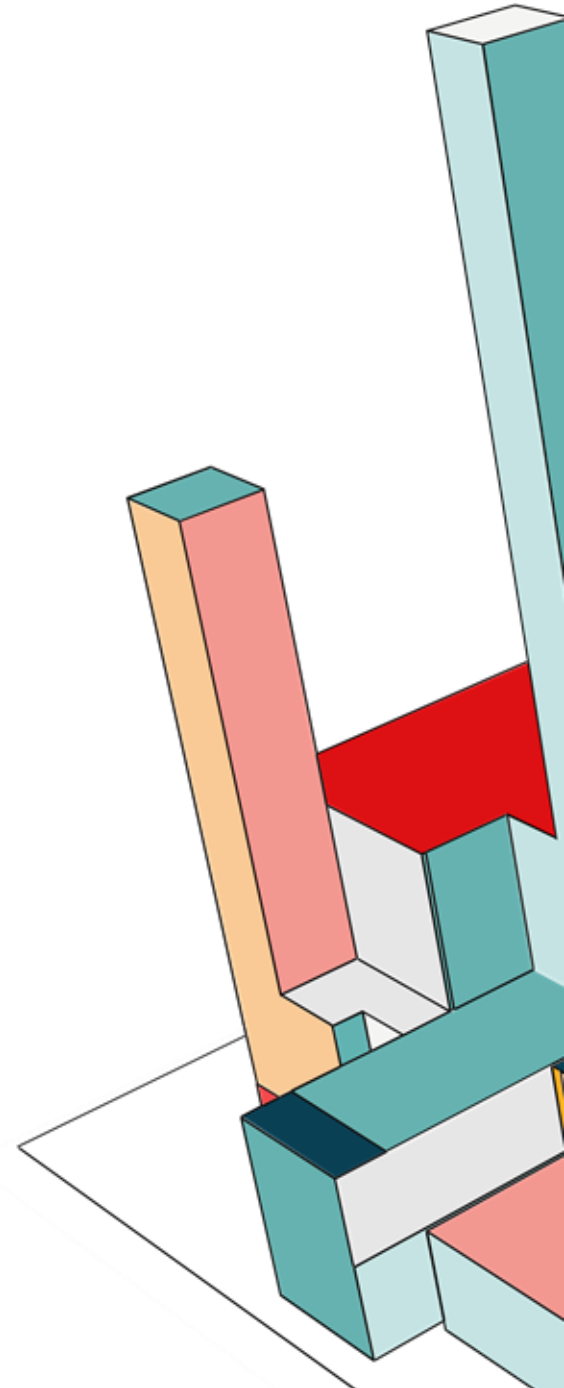
What is housing instability?

- difficulty paying rent
- living in poor or overcrowded conditions
- moving frequently
- spending the majority of household income on housing costs



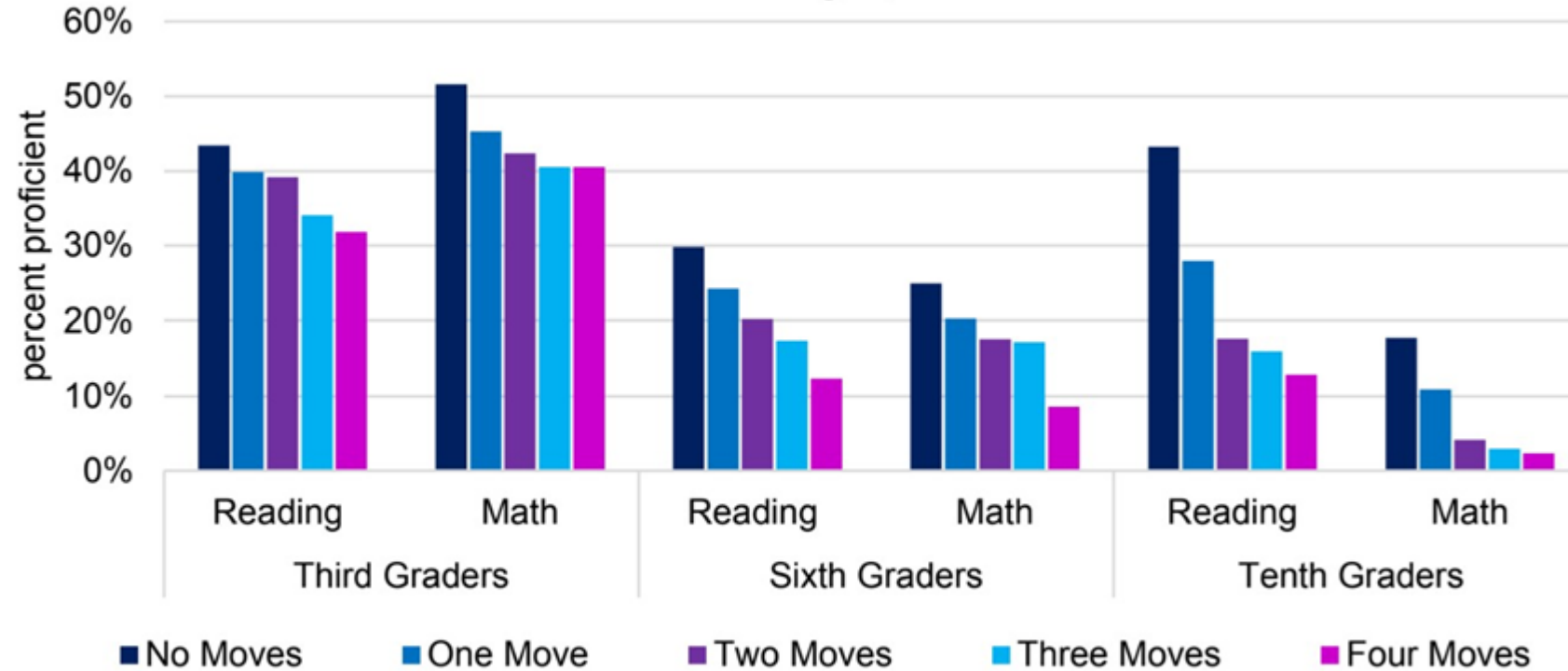
Housing instability and educational attainment

- Housing instability during early childhood is associated with delays in kindergarten readiness, cognitive and behavioral challenges, and increased risks of depression and anxiety as children grow older.
- New Mexico students in unstable housing are more likely to be chronically absent and less likely to graduate than their peers

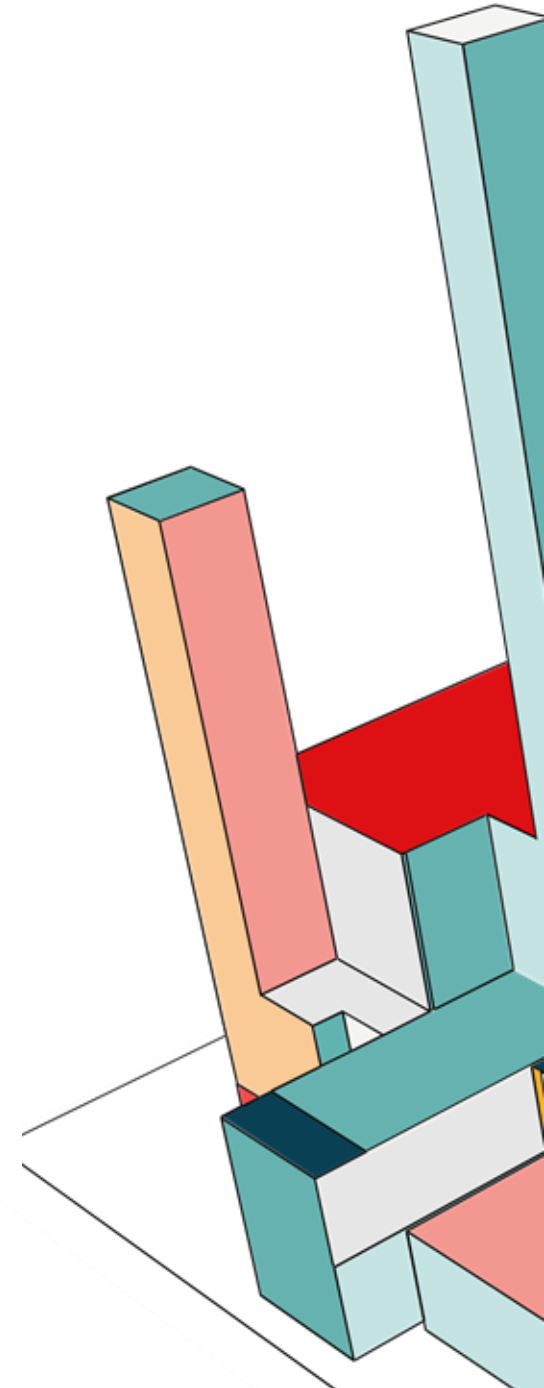


School mobility and educational attainment

Chart 15. Percent of Students Proficient on SY16 PARCC by Number of School Changes, SY13-SY16

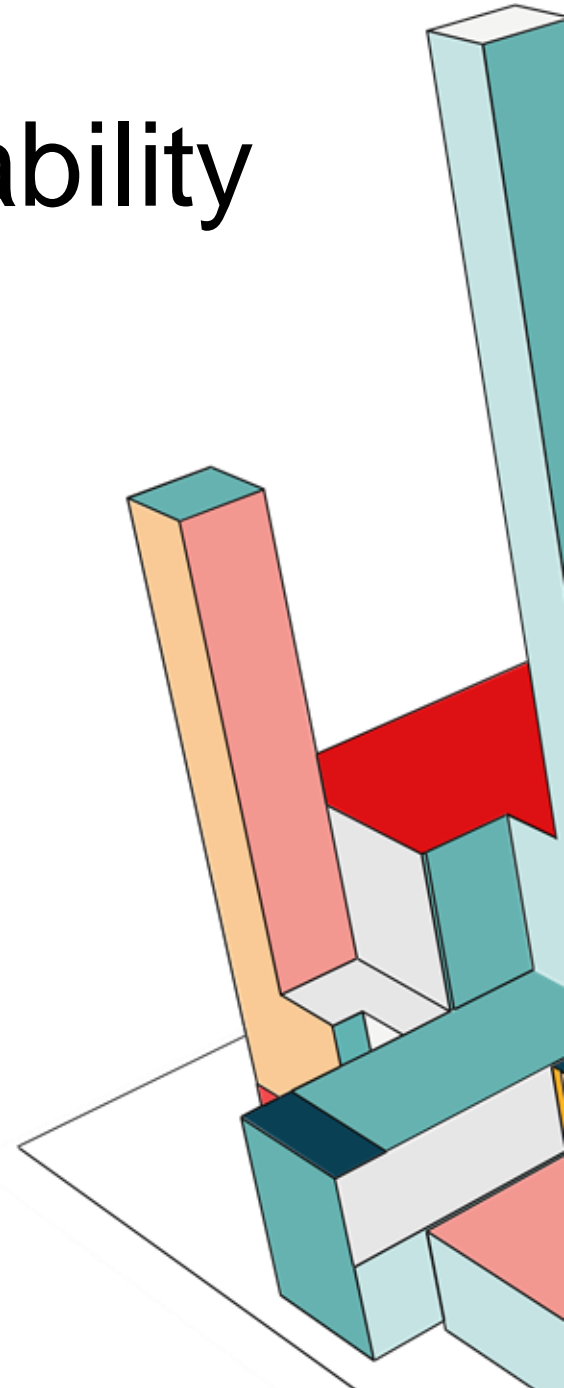


Source: LFC analysis of PED data



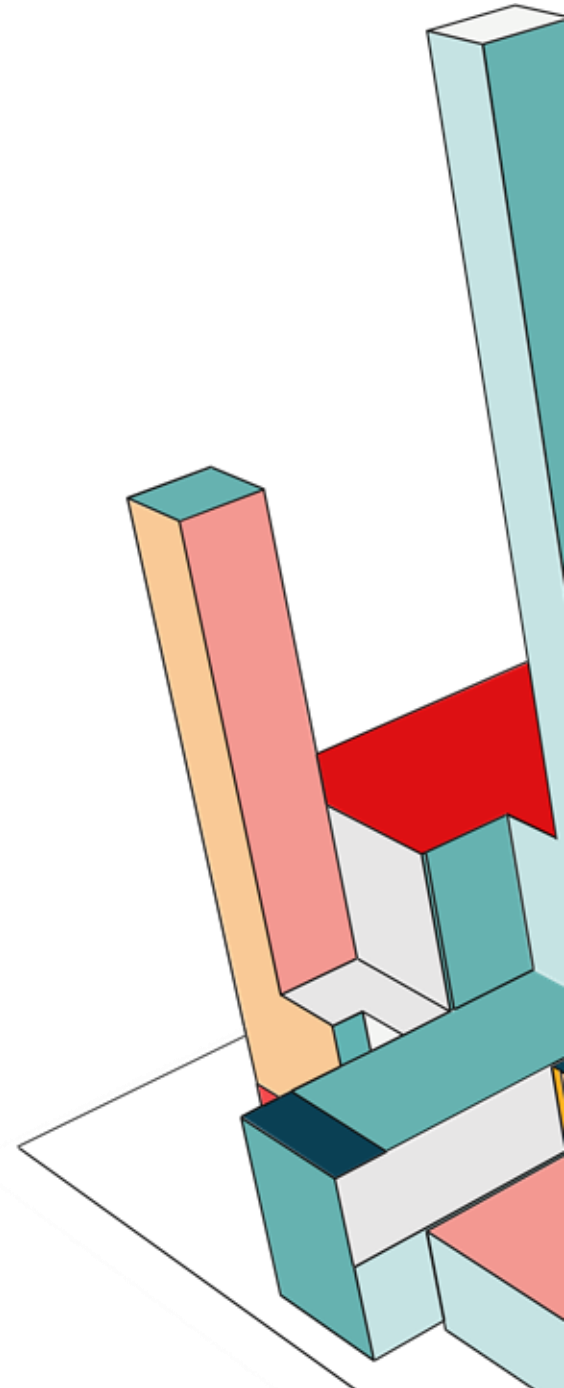
Additional impacts of housing instability

- Children who move frequently are more likely to have chronic conditions and poor physical health.
- Frequent moves may prevent individuals and families from building long-lasting attachments to neighborhoods
- Housing instability is associated with higher prevalence of overweight/obesity, hypertension, diabetes, and cardiovascular disease, worse hypertension and diabetes control, and higher acute health care utilization among those with diabetes and cardiovascular disease



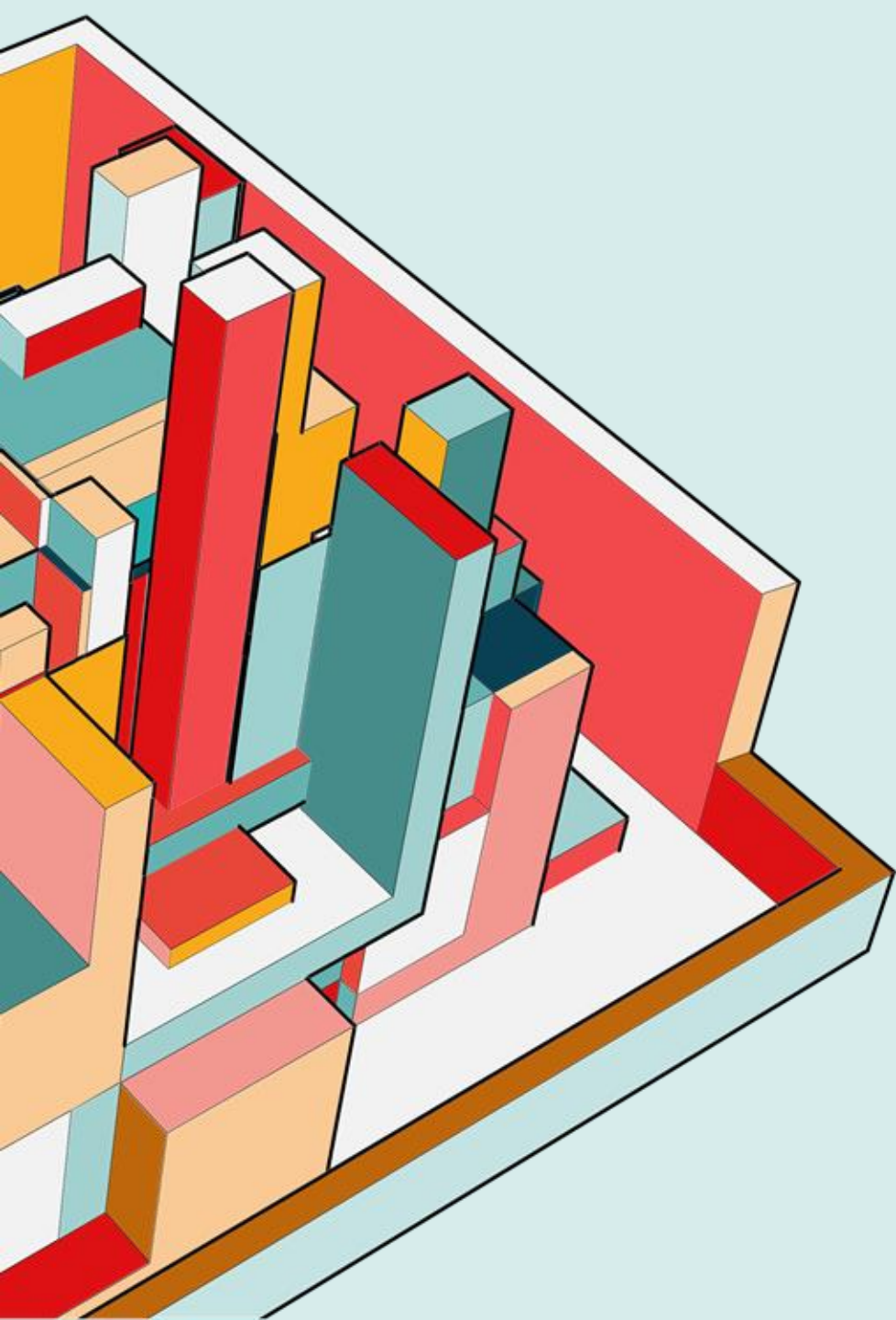
Eviction: extreme housing instability

- Eviction filings lead to increased homelessness
- Evicted families are more likely to suffer material hardship, depression, and poor health
- Renters who are forced to move are more likely to relocate to poorer and higher-crime neighborhoods



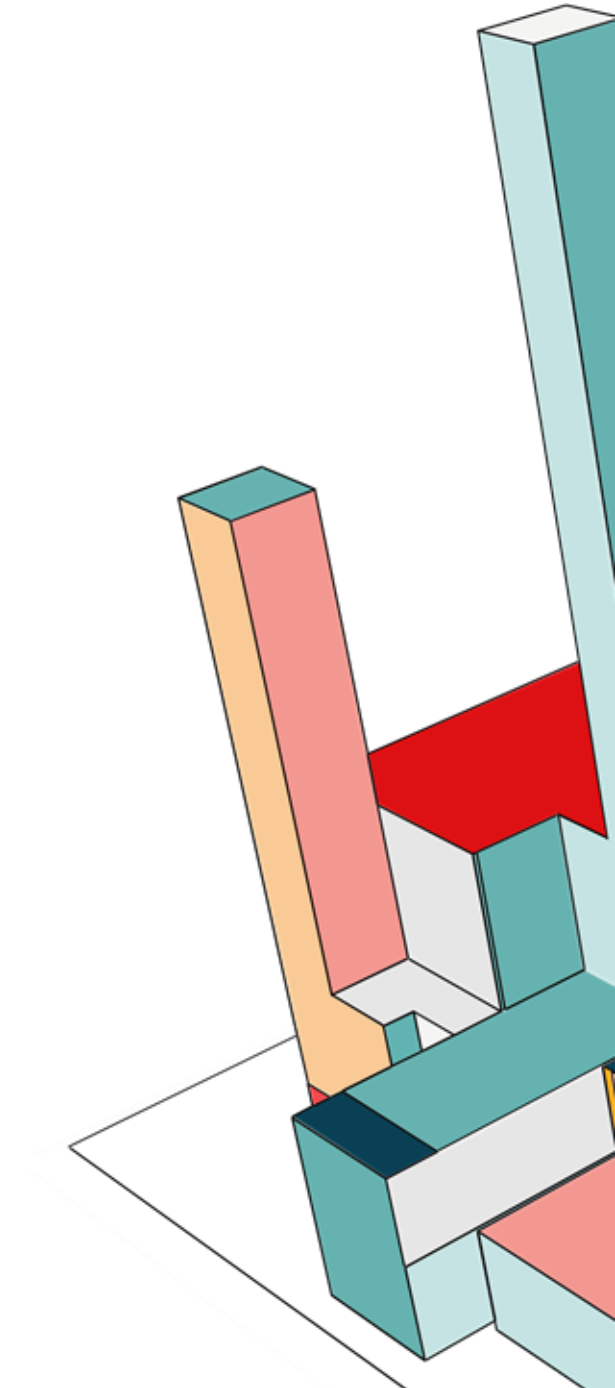
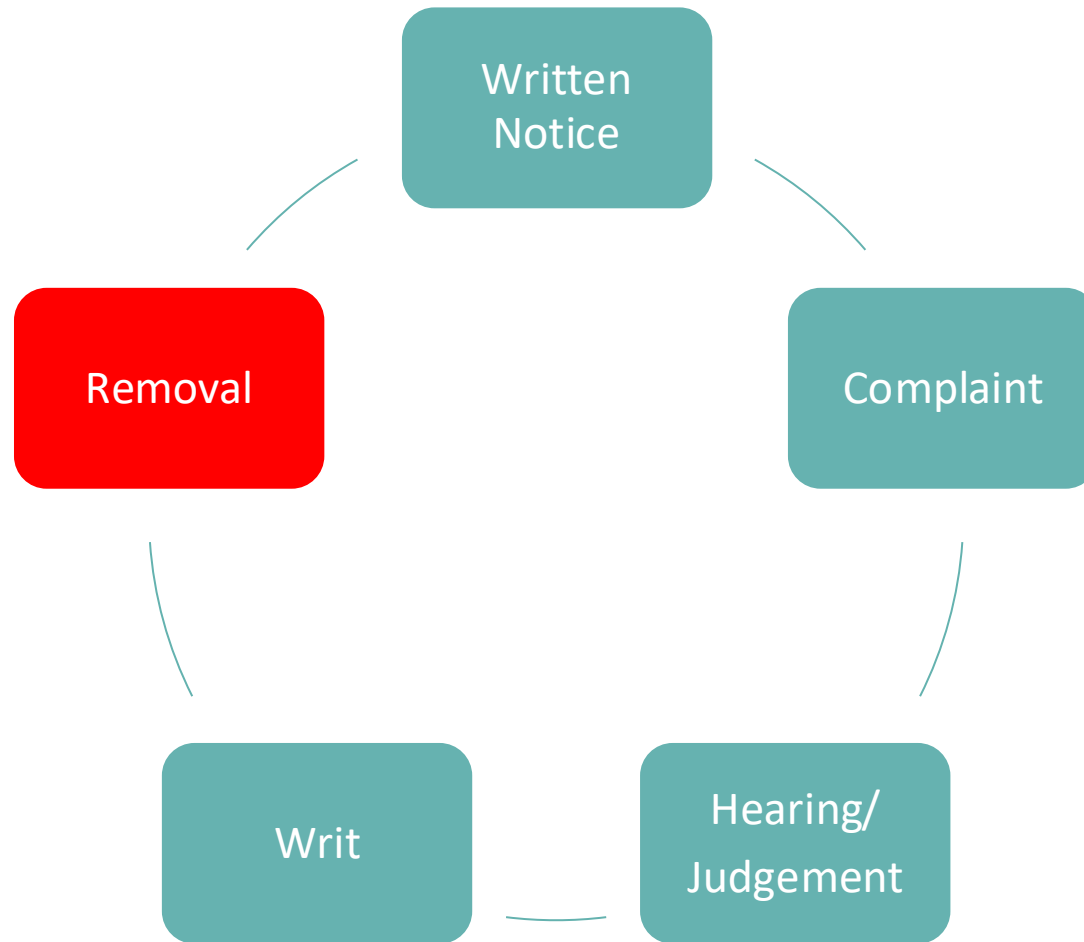
POLICIES TO ADDRESS HOUSING STABILITY CHALLENGES



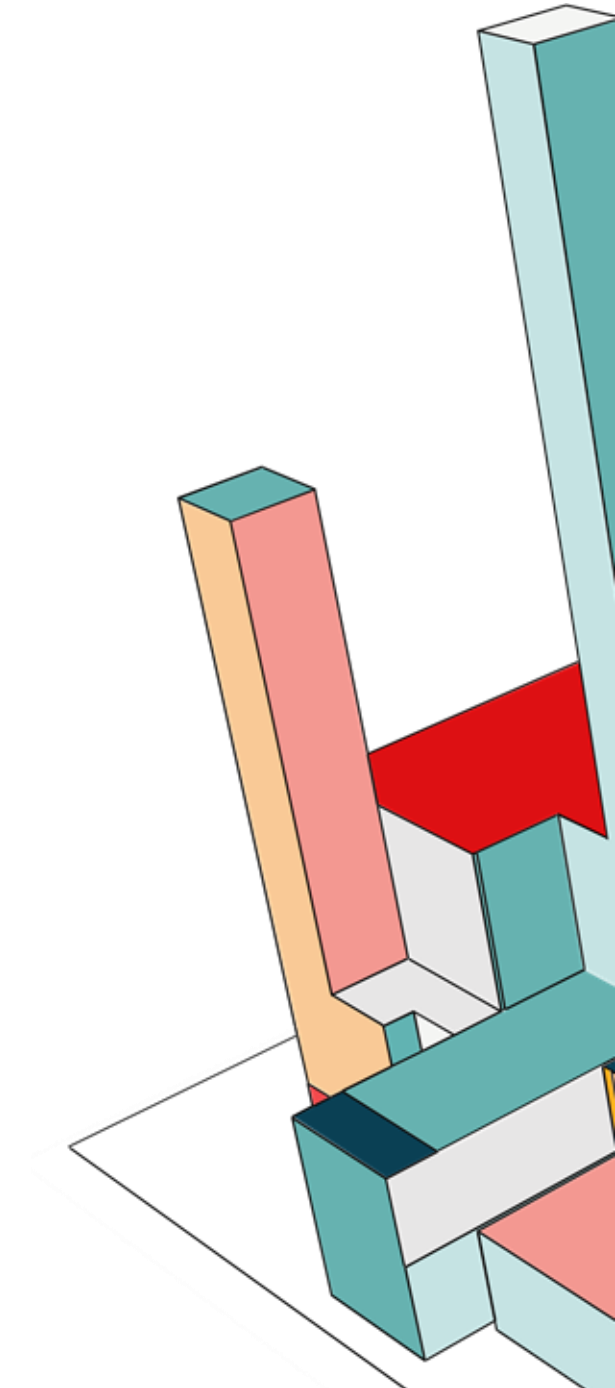
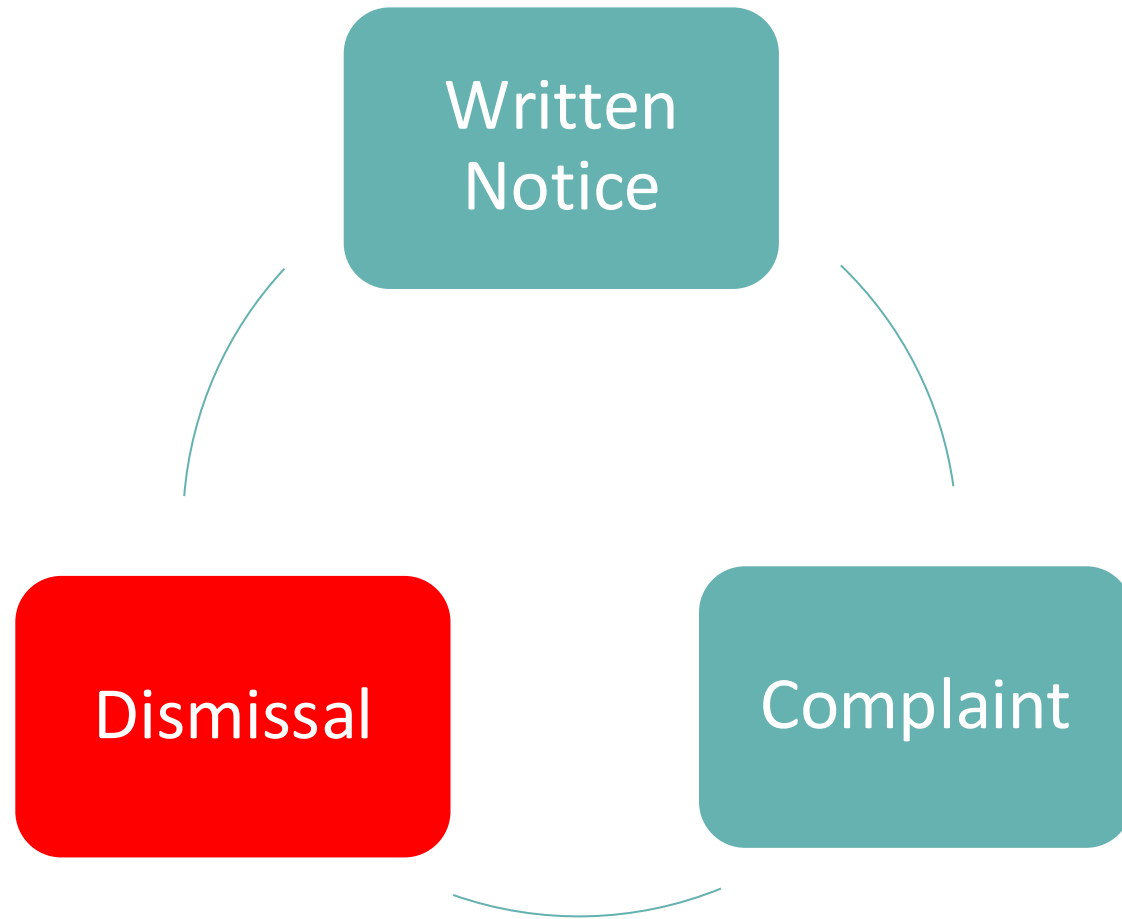


EVICTIION SEALING

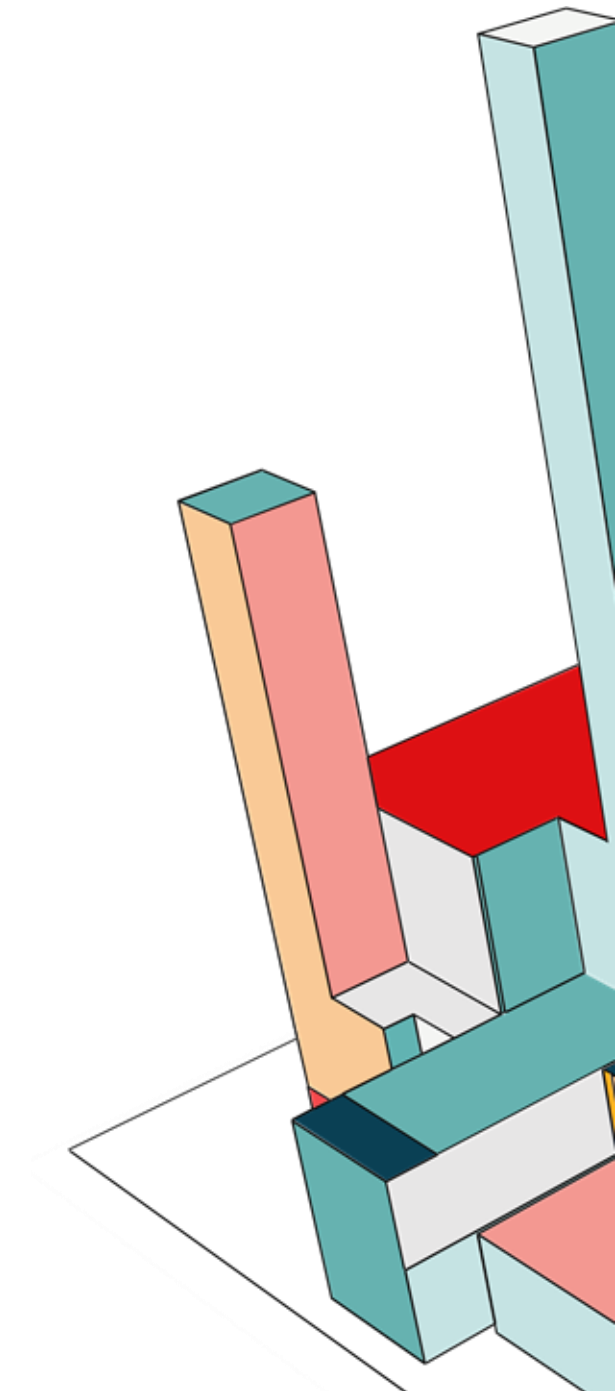
THE EVICTION PROCESS – LANDLORD PREVAILS



THE EVICTION PROCESS – TENANT PREVAILS

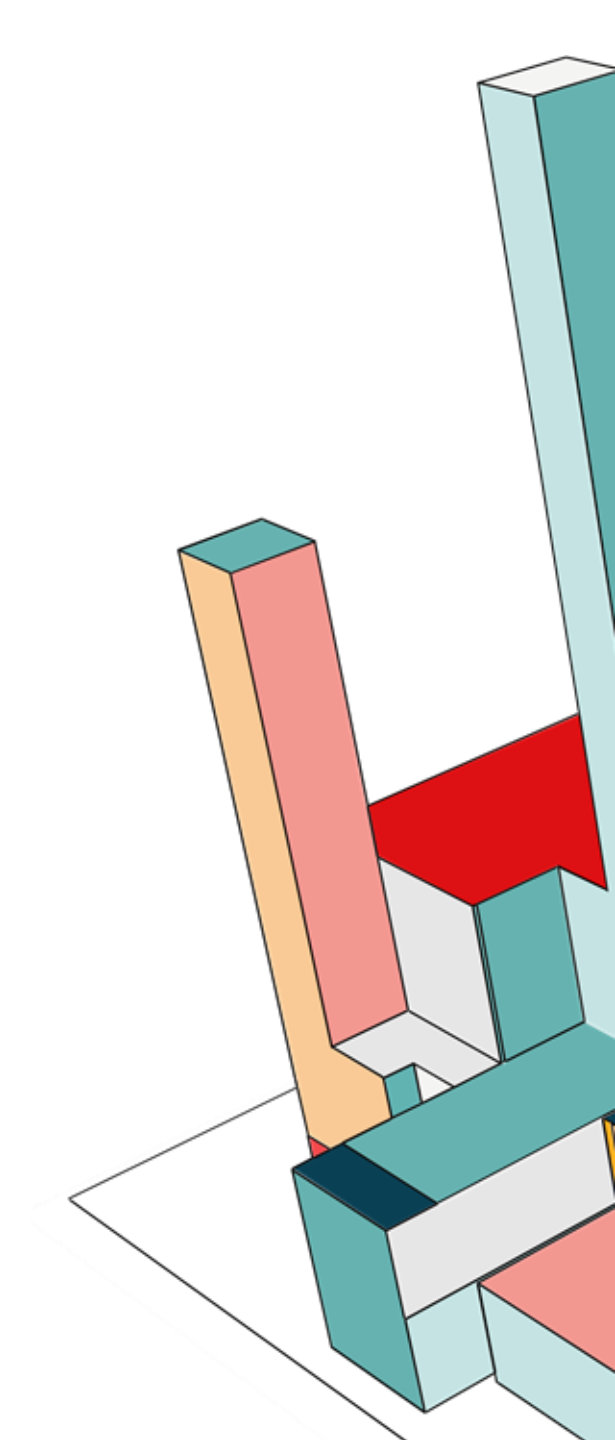


TREATMENT OF TENANT RECORDS



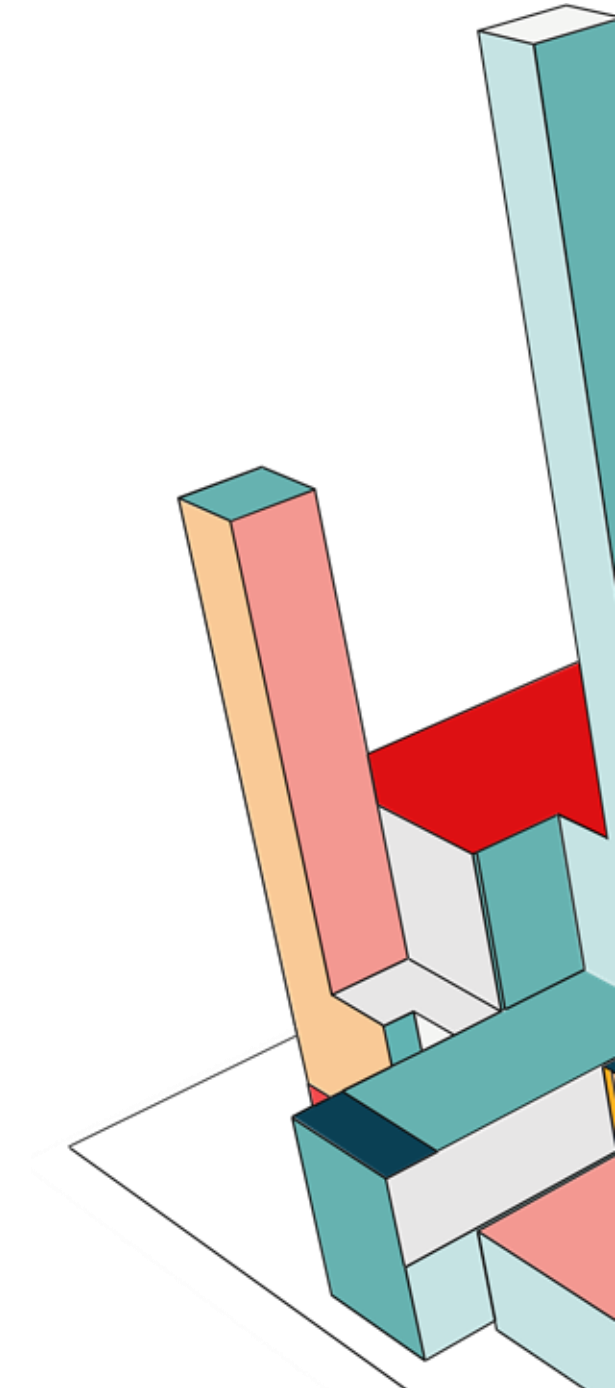
TENANT SCREENING COMPANIES

- Billion-dollar industry
- Over 2,000 tenant screening companies
- 90% of landlords report using tenant screening data



TENANT SCREENING PROCESS

- Data scraping
- Code any touchpoint with housing court as an eviction
- Algorithms (green or red light)
- No nuance



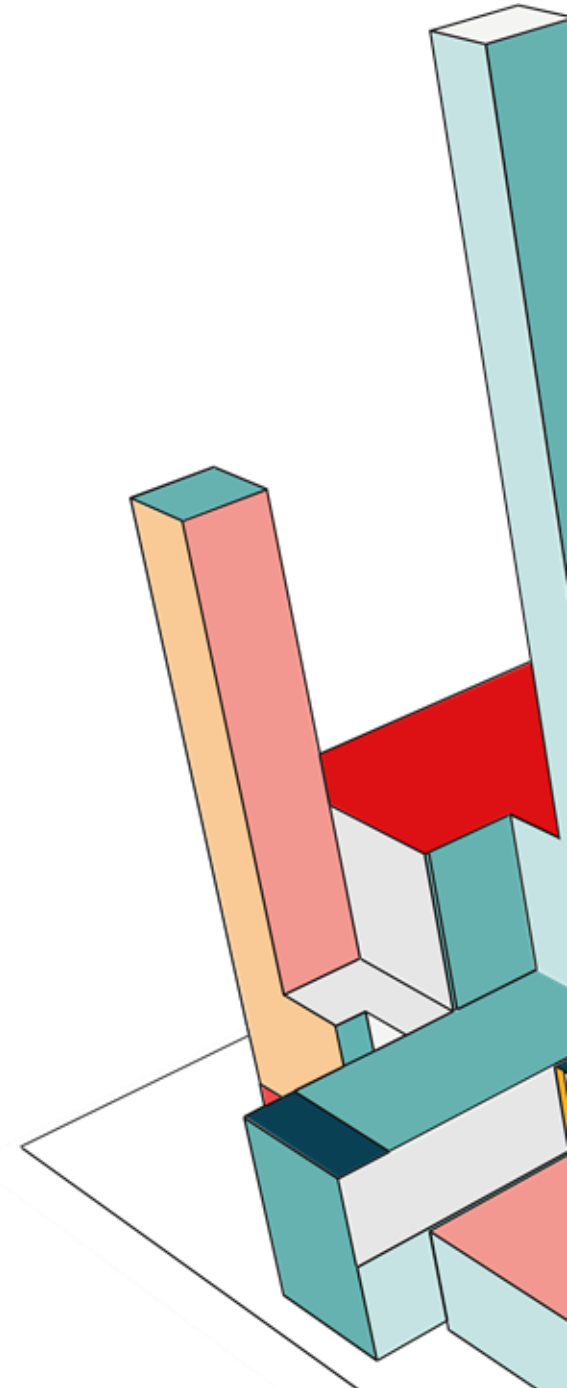
CONSEQUENCES FOR LANDLORDS & TENANTS

Landlords

- Sold inaccurate and incomplete data
- Forced to rely on faulty data to make rental decisions
- Inability to consider individual tenant circumstances

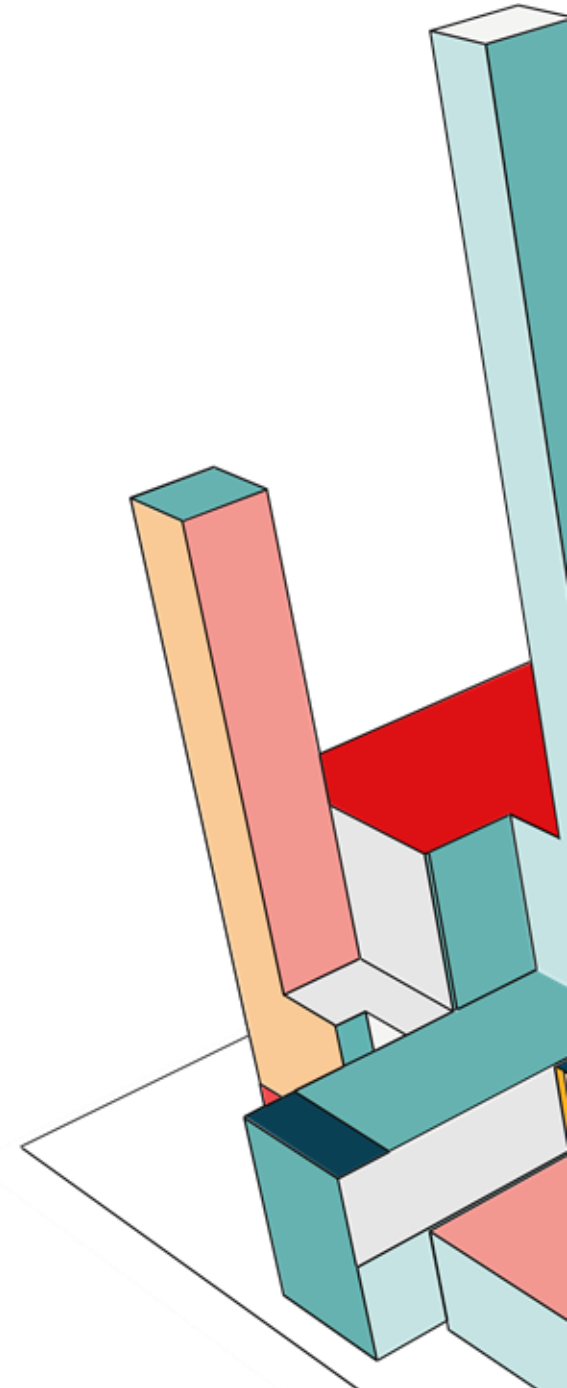
Tenants

- Marked with an eviction for life
- Poor future housing prospects and/or homelessness
- Other collateral consequences



EVICTIION SEALING LEGISLATION: OTHER STATES

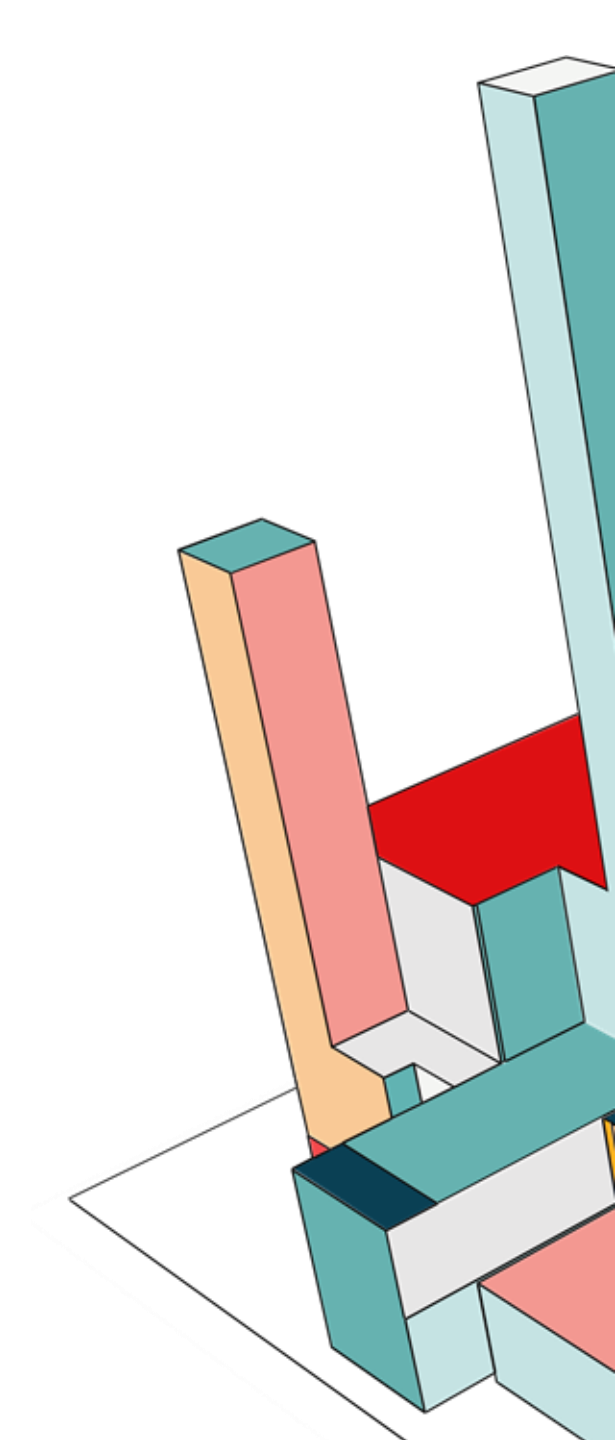
- 12 states and D.C. have some form of sealing legislation
- Many other states are working to pass similar legislation
- In-depth study of all current legislation
- Conversations with lawmakers, attorneys, nonprofits, housing advocates



EVICTIION SEALING LEGISLATION: CORE TOUCHSTONES

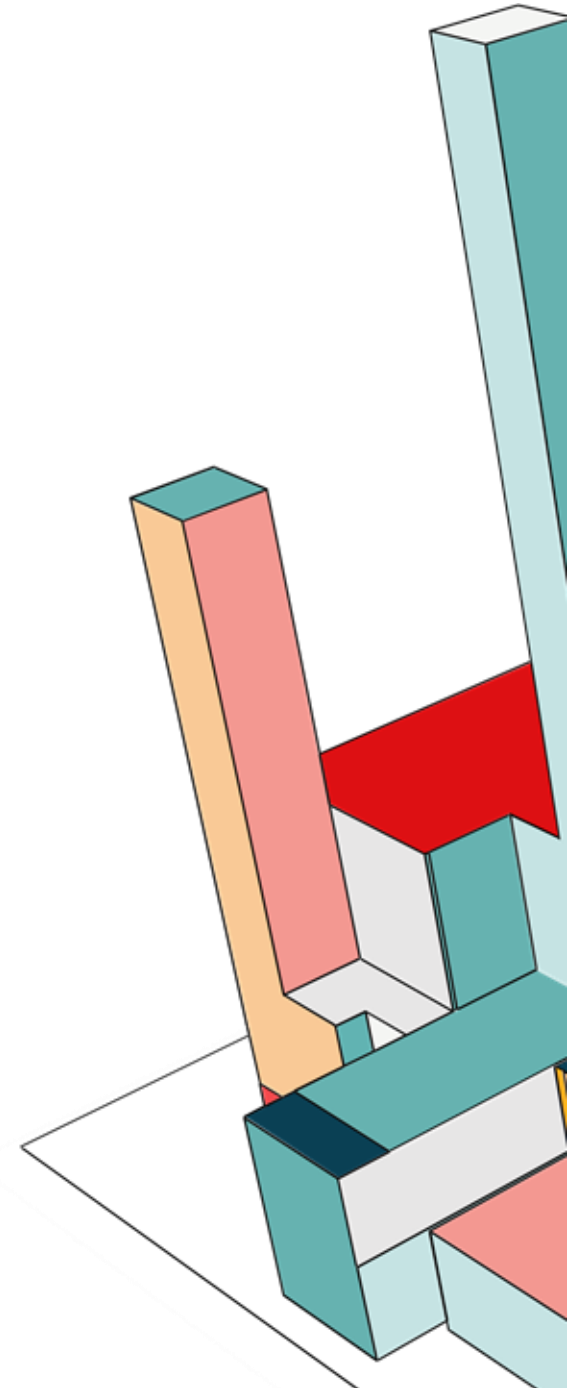
Information Accuracy

Integrity of the Judicial Process



EVICTION SEALING LEGISLATION: CORE COMPONENTS

1. Eviction cases sealed at the point of filing
 - Unsealed if an owner is granted possession by the court
2. Automatic sealing of cases older than 3 years
3. Discretionary sealing before 3 years
 - If the parties agree
 - In the interests of justice
4. Limited dissemination exceptions
 - Lawyers, judges, court staff
 - Others who demonstrate a compelling need (e.g. government officials, researchers, journalists, etc.)



THANK YOU

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