

# SEALING THE RECORD, SECURING THE FUTURE: FIGHTING FOR EVICTION SEALING LEGISLATION IN SOUTH CAROLINA\*

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On February 28, 2025, The North Carolina Civil Rights Law Review hosted a Conference entitled Conference on Race, Class, Gender, and Identity: Grants Pass, Homelessness, and Housing Justice. Kenni Cummings, Executive Director of the South Carolina Tenant Union, delivered the presentation transcription below, in tandem with their piece Sealing the Record, Securing the Future: Fighting for Eviction Sealing Legislation in South Carolina. The transcription and piece have been edited together for consistency and cohesion. It was an honor to host Kenni Cummings, and The North Carolina Civil Rights Law Review is excited to publish this writing based on their engaging presentation and thought-provoking work.

My primary work is organizing tenants in their buildings, trying to get maintenance requests fixed and rent stabilized. I also organize tenants on a much larger scale, so that we have different policies that protect them on the state level. The South Carolina Tenant Union was established in 2020.<sup>1</sup> In South Carolina, tenants live under one of the harshest eviction systems in the country.<sup>2</sup> Like North Carolina, South Carolina does not have very many tenant protections.<sup>3</sup> In 2021, the organization received a \$200,000 grant. I was asked to join on as

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1. *About*, S.C. TENANT UNION, <https://www.schjn.com/new-page> (last visited May 12, 2026).

2. *South Carolina Has One of the Highest Eviction Rates in the Country, and Renters Face Evictions Without Legal Representation*, AM. C.L. UNION S.C. (Apr. 3, 2023, 3:15 PM), <https://www.aclusc.org/press-releases/south-carolina-has-one-highest-eviction-rates-country-and-renters-face-evictions/>; see N. Edwards Coulson et al., *Tenants Rights, Evictions, and Rent Affordability*, 147 J. OF URB. ECON., May 11, 2025, at 8.

3. *State and Local Tenant Protections Database*, NAT'L LOW INCOME HOUS. COAL., <https://nlihc.org/tenant-protections> (last updated Mar. 30, 2026).

a staff organizer but was unable to take the position due to my own housing insecurity. I stayed in relationship with the South Carolina Tenant Union, and at the same time, my friend got a position with the organization. My friend communicated to me that there was no clear supervisor, so I decided to help my friend out. Through this, I was able to work my way up through the ranks of the organization, ultimately finding my role as the Executive Director.

We have to analyze the problems associated with housing and understand the environment and landscape that we are in. Firstly, I would like to be explicit about what organizing means, because many people here are going to become lawyers and I want to make sure we are all on the same page. Someone can approach the work that they are doing as an organizer and still be a very good lawyer. When I talk about organizing, I am talking about bringing people together to address their collective concerns. The methodology employed here is called Structure Based Organizing.<sup>4</sup> The goal is to figure out what the problem is, create a list of demands, and go after those imposing the problems ferociously. Being a community organizer in the U.S. South is incredibly challenging as far as partnerships and relationships go.

I want to take you through a one-on-one organizing technique I use. When I am having a conversation with someone, I want to know what makes them angry. In South Carolina, a lot of people are angry because they want all children to succeed. I ask, “so what are your hopes,” and in this case, for children. I want them to tell me all the beautiful things they want for the kids. I pull that anger and hope together to ask “so what are you going to do? Because there is an eviction crisis in South Carolina and children are the biggest victims.” When you are able to reflect these steps back to people, they move.

One of the main reasons this country lacks sustainable housing policy is that society as a whole struggles with relationship building. That is why I focus so much on it. For example, I have built relationships with my co-panelists today, and I can build on their wisdom and shared resources. Relationship maintenance also helped the South Carolina Tenant Union make actionable legislative change during the 2025 cycle. We maintained our relationships with partners in policy spaces, like the ACLU for example, and overtime they were able to see that we were not just some “cute” organization, we were really

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4. *The Momentum Model: A Living Model for Hybrid Organizing*, MOMENTUM, <https://www.momentumcommunity.org/momentum-model> (last visited May 12, 2026).

forming a powerhouse for tenant justice. We were able to build a statewide network of direct service organizations, called the South Carolina Tenant Coalition. The policy folks have been able to create draft legislation that could seal the evictions of people in South Carolina. We are able to take that draft back to the Union and give constructive feedback from the people who are directly impacted by being houseless. Our direct service providers do not do advocacy, but they provide us with stories of people they service in the community.

So many of us are in our own silos doing individual work, and that often slows progression towards widespread viable solutions. For lawyers, they must be very mindful about making connections but do so with their profession in mind. Thus, lawyers must approach organizing in a way that brings other people along.

South Carolina has one of the highest eviction filing rates, and many tenants go to court with little to no understanding of the law.<sup>5</sup> This phenomenon is not connected to COVID; these numbers were high before the pandemic and continued to be high after.<sup>6</sup> Entire communities have become locked out of stable housing because of a single eviction on their record.<sup>7</sup> From Greenville to Charleston, families struggle under a system that treats housing as a privilege instead of a human right. In many areas of Charleston, land is zoned for single family housing<sup>8</sup>. For the last three years in Charleston, there has been a 30% increase on the rent for most of the people living in the city. In addition, there is no rent cap.<sup>9</sup> In many cases, people are just trying to figure out how to manage that.

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5. *National Eviction Map*, EVICTION LAB, <https://evictionlab.org/map/?m=mod-eled&c=p&b=efr&s=all&r=states&y=2018&z=2.38&lat=33.43&lon=-101.06&lang=en> (last visited May 12, 2026).

6. *See Id.*

7. Kenni Cummings, *Breaking Free from the Scarlet "E": Why SC Needs Eviction Record Sealing*, S. VISION ALL. (Aug. 28, 2025), <https://southernvision.org/breaking-free-from-the-scarlet-e-why-sc-needs-eviction-record-sealing/>.

8. *Interactive Zoning Map*, CITY OF CHARLESTON, <https://gis.charleston-sc.gov/interactive/zoning/> (last visited May 12, 2026).

9. Dorothy Neufeld, *Mapped: How Much Rent Has Risen in 30 Major U.S. Cities Since 2020*, VISUAL CAPITALIST (Mar. 20, 2026), <https://www.visualcapitalist.com/ranked-where-rent-is-rising-fastest-in-america-2020-2026/>; *Landlord and Tenant Law in SC*, S.C. APPLESEED LEGAL JUST. CTR., <https://www.scjustice.org/wp-content/uploads/2019/07/landlord-and-tenant-law-in-sc.pdf> (last visited May 12, 2026).

This crisis isn't unique to South Carolina.<sup>10</sup> This trend mirrors what is happening across the Southern United States.<sup>11</sup> Tenant protections are weak, rents rise faster than wages, and housing instability disproportionately impacts Black, working-class, and low-income families.<sup>12</sup> In neighboring North Carolina, tenants face many of the same obstacles: high eviction filing rates, limited legal options, and lasting harm from public eviction records.<sup>13</sup> These shared truths reflect a system that prioritizes profit over people.

Eviction filings often do not tell the whole story. There are so many reasons why evictions are filed against tenants.<sup>14</sup> Evictions could be prompted by delayed repairs or as a retaliatory action against the tenant.<sup>15</sup> Even when tenants prove their case, or the filings are dismissed, the eviction is permanently on their public record.<sup>16</sup>

South Carolina has no formal or standard process to seal evictions.<sup>17</sup> A single filing can lead landlords or screening companies to deny someone housing, which traps families in a cycle of perpetual displacement.<sup>18</sup> We have thousands of people living with either their family or friends, in their car, or in hotels because eviction filings are

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10. Nachele Jackson, U.S. BUREAU OF LAB. STATS., *CPI Rent Regional Trends and the Impact of the COVID-19 Pandemic* (2026), <https://www.bls.gov/opub/mlr/2026/article/cpi-rent-regional-trends-and-the-impact-of-the-covid-19-pandemic.htm>.

11. *Id.*

12. Daniel Soucy, Andrew Hall, and Joy Moses, *State of Homelessness: 2025 Edition*, NAT'L ALL. TO END HOMELESSNESS (Sept. 4, 2025), <https://endhomelessness.org/state-of-homelessness/>.

13. Kelly Kenoyer, *Evictions Have Risen to Their Highest Rate in 13 Years. Housing Costs are Likely to Blame*, WHQR PUB. MEDIA (Dec. 22, 2025, 6:30 AM), <https://www.whqr.org/local/2025-12-19/evictions-have-risen-to-their-highest-rate-in-13-years-housing-costs-are-likely-to-blame>; see generally *Landlord/Tenant Issues*, N.C. JUD. BRANCH, <https://www.nccourts.gov/help-topics/housing/landlordtenant-issues> (last visited May 12, 2026).

14. *4 Valid Reasons a Landlord can Evict a Tenant*, LEGALSHIELD (Mar. 7, 2022), <https://www.legalshield.com/blog/four-reasons-evict-tenant>.

15. *Id.*

16. *Removing Housing Barriers Through Record Relief*, NAT'L CTR. FOR STATE CTS. (Dec. 8, 2025), <https://www.ncsc.org/resources-courts/removing-housing-barriers-through-record-relief>.

17. *Sealing Eviction Records (H. 4270)*, AM. C.L. UNION S.C., <https://www.aclusc.org/legislation/sealing-eviction-records-h-4270/> (last updated Mar. 27, 2025).

18. *Id.* ("The unfortunate reality today is that, if a person has an eviction filing on their record, many landlords will not even consider a rental application from a tenant.")

preventing them from getting into secure housing.<sup>19</sup> This burden overwhelmingly lands on Black renters, single mothers, and low-income families.<sup>20</sup> This phenomenon occurs not only in South Carolina, but across the entire Southern United States.<sup>21</sup> As we think about homelessness, we need to think about who we are in relationships with, and who we are listening to. I have relationships with people who are houseless, and I myself have been houseless at a point. It is a different orientation to doing this organizing when homelessness is at the forefront, and those impacted by it are the voices you are listening to.

Our push for eviction sealing legislation is guided by a simple principle: no one should be permanently punished for an eviction filing.<sup>22</sup> We are calling for reforms that would seal eviction filings when tenants prevail on their case or settle. Moreover, we are looking for legislation that would automatically seal older records after a defined period and restrict third-party screening companies from profiting off outdated eviction histories.

The power and motivation behind this campaign comes from those who have lived this unjust experience. At the South Carolina Tenant Union, impacted tenants are not just part of the conversation—they control the narrative. I think that those who are most affected by current eviction laws tend not to be in the room when policy decisions are made. In many cases, these voices do not have a relationship with the legislative body or are ignored by individuals who have the capacity to do something about their concerns. In order to address this deficiency, we have tenant leaders give their testimony to the legislature and meet directly with lawmakers to share their deeply personal stories.<sup>23</sup> We have seen that the people impacted by these problems are

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19. See Cummings, *supra* note 7.

20. *Id.* (“Eviction filings hit Black tenants, single mothers, and working-class families hardest. For them, eviction records are another layer of punishment stacked on generations of housing discrimination.”)

21. See EVICTION LAB, *supra* note 5.

22. See Cummings, *supra* note 7. (“The bill makes eviction records fairer, more accurate, and less punishing. It recognizes that tenants are more than a piece of paper in the public index—and that every South Carolinian deserves a second chance at stable housing.”)

23. *Grassroots Lobby Day for Eviction Record Sealing H.4270 & S.983*, S.C. TENANT UNION (Mar. 25, 2026), <https://www.sctenantunion.org/events/grassroots-lobby-day-march2026> (“The Grassroots Lobby Day will bring tenants, caregivers, workers, elders, and families together to meet directly with lawmakers, share our stories, and press for a subcommittee hearing on S983 & full committee hearing for H4270.”).

often the one closest to finding the solution. Tenant leaders also organize on the ground to create a community favoring eviction reform.<sup>24</sup> Their experience shapes our strategy and gives our demands real grounding.

With this in mind, it is imperative to recognize that meaningful policy change takes more than personal stories. In order to address this, we have built broad coalitions, working hand-in-hand with Legal Aid lawyers, housing policy researchers, faith leaders, and community allies to stimulate change. There has to be real conversations about the cost of living and rent prices. Together, we are drafting policy that is both practical and rooted in tenants' lived experience. When grassroots power meets legal expertise, lawmakers cannot look away. Unfortunately, a lot of these legal experts are losing funding for their very important work.

I just want to touch on faith-based housing for a second. Let me just say, denominations know how to do housing. I grew up in the Methodist church and for their pastors, they have a housing parsonage. If that specific church cannot get a parsonage, then they have housing allowances. There is a history in this space, and it should be explored. Something I am excited about with the Coalition I mentioned earlier is that 3 of our major cities in South Carolina have interfaith justice-focused groups. They are going to be signing on to support the eviction sealing legislation. Moreover, faith-communities help with temporary and transitional houses that are run out of churches and other worship centers. I am working with some churches in the Charleston area to build relationships with them so they can sign on to a year-long commitment to walk with my organization.

Legislation reform is not easy. Moving forward, we are going to need more people to commit to doing housing reform. Corporate landlords with hefty pockets and misconceptions about eviction sealings are obstacles.<sup>25</sup> Some of these entities argue that eviction reform would allow "bad tenants" to get off the hook for their prior records.<sup>26</sup> The truth is eviction filings often only show just a snapshot of a particular moment, and they hurt those already facing the greatest

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24. *See id.*

25. Robbie Sequeira, *Landlords Cry Foul as More States Seal Eviction Records*, STAELINE (Aug. 21, 2024, 5:00 AM), <https://stateline.org/2024/08/21/landlords-cry-foul-as-more-states-seal-eviction-records/>.

26. *Id.*

barriers.<sup>27</sup> We have learned how important it is to support tenants' stories with factual data. We have made efforts to connect legislators directly with impacted people, and frame eviction sealing as a civil rights and economic justice issue.<sup>28</sup> In several ways, the capitalist society we are living in is a hellscape for many people.

Again, this fight is not just happening in South Carolina.<sup>29</sup> Tenant organizing, legal advocacy, and policy reform efforts are growing across the South—from North Carolina, to Georgia, to Alabama. The North Carolina Tenant Union is forming advocacy groups throughout the state.<sup>30</sup> It is a fight being taken on throughout the nation.<sup>31</sup> These shared struggles and subsequent solutions strengthen our resolve and strategies for organizing.<sup>32</sup>

Eviction sealing would not solve every facet of the housing crisis.<sup>33</sup> It is one step in a long process. We will still need increased tenant protections, and policies to stop displacement in its tracks. But sealing eviction records would remove one of the most punitive barriers that families face and create a path towards rebuilding and stabilization.<sup>34</sup>

Our work is about more than organizing and passing legislation; it is about shifting power to tenants. When impacted individuals come together and claim space, their demands for justice do more than change the law—they reshape what is possible. That is at the core of this work: building a South where one eviction filing cannot define your future. We are looking for housing to be treated as a human right.

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27. See Cummings, *supra* note 7.

28. See S.C. TENANT UNION, *supra* note 23.

29. See Jackson, *supra* note 10.

30. See *About*, N.C. TENANTS UNION, <https://nctenantsunion.org/about-us/#members> (last visited May 12, 2026)

31. See Derek Seidman, *Rising Tenant-Led Movement Aims to Bring Down Corporate Landlords*, TRUTHOUT (Sept. 13, 2025), <https://truthout.org/articles/rising-tenant-led-movement-aims-to-bring-down-corporate-landlords/>.

32. *Id.*

33. Jaboa Lake and Leni Tupper, *Eviction Record Expungement Can Remove Barriers to Stable Housing*, CTR. FOR AM. PROGRESS (Sept. 20, 2021), <https://www.americanprogress.org/article/eviction-record-expungement-can-remove-barriers-stable-housing/> (“Eviction record sealing, in combination with additional tenant protections and reforms, would greatly improve access to safe and affordable housing, especially for the people most often forced to the margins of society.”).

34. See Cummings, *supra* note 7.