



March 11, 2024

The Honorable Alex Lee
California State Assembly
1021 O Street, Suite 6330
Sacramento, CA 95814

Re: AB 2304 (Lee) – Unlawful Detainer: Case Records - Oppose

Dear Assembly Member Lee:

On behalf of the organizations listed below, we are writing to inform you that our organizations have taken an oppose position on AB 2304, your legislation that will hide from the public view unlawful detainer records when the rent claimed is over \$35,000.

The initial law that masked unlawful detainer records from public view was intended to protect tenants and rental property owners from predatory attorneys who were accessing the court records and unethically recommending to tenants that they file bankruptcy to avoid the payment of past rent. While the law has been amended over the years for a different purpose – to protect tenants from a poor credit record – it was never intended to protect tenants who have accumulated tens of thousands of dollars in unpaid rent. While “unlimited cases” (meaning cases above \$35,000) are rare and reserved for the worst offenders, there is no good reason to burden the courts with more masking procedures for cases that involve tenants who have run up a huge amount of unpaid rent. These cases typically involve the predatory system-gaming type of unethical lawyers who help tenants avoid eviction and avoid the payment of past due rent. They pose a risk to the next rental property owner and should not be allowed to hide behind a legislative masking statute. The fact that they were sued in court at this level of unpaid rent should be something the general public and the next rental property owner know.

For these reasons, we oppose AB 2304.

Sincerely

Debra Carlton,
Executive Vice President State Public Affairs
California Apartment Association

Matthew Hargrove
President and Chief Executive Officer
California Business Properties Association
Building Owners and Managers Association of California (BOMA)
Institute of Real Estate Management

Karim Drissi
Director of Public Policy and Advocacy
California Association of REALTORS®

cc: Assembly Judiciary Committee