



Legislative Alert – House Bill 4984: Tenant Eviction Records

What it does:

This bill changes how Michigan courts handle public access to records from eviction (summary proceedings) cases.

Key Points:

- Before judgment: Eviction case records stay nonpublic (confidential) until the court issues a judgment granting possession to the landlord.
- After judgment: If the landlord wins, the records become public for 2 years. After that, they automatically revert to nonpublic.
- Serious cases stay public longer: If the eviction is based on:
 - Illegal drug activity,
 - Serious and ongoing health hazards,
 - Threats or actual physical harm to others, or
 - Forcibly taking or holding property,then the records stay public for 3 years before becoming nonpublic.
- Exceptions for research/government: Courts may allow access to nonpublic records for scholarly, journalistic, or government purposes—but only under strict agreements that protect tenant privacy.
- Definitions: “Nonpublic” means only the parties, their attorneys, and the court can see the records. “Records” include any documents filed with the court in an eviction case.

Why it matters for professional investigators:

This bill directly affects the ability of investigators to access housing and eviction history. By making most eviction records confidential after only 2 years (or 3 years in serious cases), it limits the information available for background investigations.

- Law enforcement candidate backgrounds: Eviction and housing instability can reveal financial stress, judgment issues, or patterns relevant to suitability for police or corrections work. With these records hidden, agencies may not get the full picture.
- Professional licensing & employment checks: Investigators working for licensing boards, employers, or attorneys will face reduced ability to confirm an applicant’s rental and financial responsibility.
- Civil & domestic cases: Eviction records can be an important factor in child custody, fraud, or financial dispute investigations. Those insights may no longer be accessible.
- Overall impact: The bill prioritizes tenant privacy but reduces transparency. Investigators, employers, and clients relying on complete data will have fewer tools to evaluate risk, character, and responsibility.

Call to Action:

MCPI members are encouraged to contact their local legislators and voice concerns about this bill. We urge lawmakers to:

- Add an exception for licensed private investigators so we may continue to access eviction records for legitimate investigative purposes on behalf of clients.

Alternatively, extend the public availability period so records remain accessible for 10 years before becoming nonpublic.