

# Co-Sponsor S.874 and H.1436

## An Act promoting housing stability and homelessness prevention in Massachusetts

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In recognition of the housing emergency exacerbated by COVID-19 and the severe public health risks associated with displacement, Senator DiDomenico, Rep Rogers, and Rep Day have filed Right to Counsel bills to prevent evictions and promote housing stability during the pandemic and over the long-term.

The bills provide legal representation for low-income tenants and low-income owner-occupants in eviction proceedings. [S.874](#) and [H.1436](#) are supported by the RTC Coalition and 88 Senators and Representatives and are consistent with the guiding principles adopted by the Coalition. The bills provide:

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**1. Who is eligible for assistance?**

Tenants and occupants facing eviction and owner-occupants of 1 to 3-family homes seeking possession of their only home, who receive public benefits, including MassHealth, or are at or below 80% AMI.

**2. What kinds of proceedings are covered?**

Evictions and similar proceedings in court and similar administrative proceedings.

**3. What is provided?**

Full legal representation for eligible individuals facing eviction in court or through administrative proceedings.

**4. Who implements the program?**

The Right to Counsel Program would be administered by the Massachusetts Legal Assistance Corporation (MLAC). MLAC will designate a qualified legal aid organization to coordinate statewide representation of eligible tenants and owner-occupants and to convene statewide trainings and forums. Program policies and operations would be overseen by an advisory committee.

**5. Who is on the Advisory Committee?**

The 15-member advisory committee will be appointed by MLAC and include low-income tenants, low-income owner-occupants, non-profit community-based organizations, statewide advocacy organizations, and municipal officials from a diversity of regions across Massachusetts.

**6. Who can be appointed as counsel?**

MLAC will designate non-profit organizations to provide full legal representation through a public and transparent request for proposal process. All organizations seeking to become designated organizations will have the right to apply for funding. Such organizations must have substantial expertise in housing law and in furnishing free legal assistance to the low-income community.

**7. How do people find out about the right?**

A form approved by the Supreme Judicial Court would inform occupants of the right to counsel and would be attached to documents occupants receive pertaining to the termination of the tenancy. The trial court would notify lessors about the required form and of the lessors' potential eligibility for legal counsel.

**8. When would RTC take effect?**

In recognition of the housing emergency exacerbated by COVID-19 and the severe public health risks associated with displacement, RTC will take effect immediately upon bill passage.

**10. Funding.**

The financial support for RTC would be appropriated by the general court through a specific line item in the Judiciary budget. Funding for RTC must not interfere with existing funding for legal services or existing organizations currently providing housing stability assistance.

## **Become a Co-Sponsor!**

Senator Sal DiDomenico and Rep Dave Rogers and Rep Michael Day are the lead sponsors of [S. 874](#) and [H. 1436](#).

**Join them and become a co-sponsor!**

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