



City of Boston  
Mayor's Office of Housing

October 2, 2023

Senator Lydia Edwards, Chair  
Joint Committee on Housing  
State House - Room 413-C  
Boston, MA 02133

Representative James Arciero, Chair  
Joint Committee on Housing  
State House - Room 146  
Boston, MA 02133

Dear Chair Edwards, Chair Arciero and Honorable Members of the Committee:

I submit this testimony in support of S. 864, *An Act promoting access to counsel and housing stability in Massachusetts*. I currently serve as the Deputy Director of the Office of Housing Stability within the Mayor's Office of Housing in the City of Boston. It is with great privilege and a sense of urgency that I write to you today regarding the critical need for legislation that addresses housing stability and legal representation disparities within our state, particularly in Boston, where my office collaborates with community partners and the trial court to ensure equal access to legal resources.

Despite our collective efforts, including the operation of a weekly legal clinic by the Office of Housing Stability, an Attorney for the Day program by the court, and the presence of numerous legal aid organizations, it has become abundantly clear that these initiatives alone are insufficient to prevent tenants from entering into agreements that, on the surface, may appear equitable but, upon closer examination, are riddled with legalese and procedural tactics that are unduly punitive.

The Access to Counsel bill holds paramount importance for our community and aligns perfectly with our mission to safeguard housing stability for all residents. It offers a significant opportunity to rectify the persistent disparities within our eviction proceedings and empowers individuals and families to secure their housing rights.

By establishing a statewide Access to Counsel Program through this bill, we envision far-reaching positive effects on the lives of countless individuals and families.

This bill aims to address disparities in legal representation. Statistics demonstrate a stark contrast in legal representation in eviction cases. While landlords frequently have legal counsel, low-income tenants often lack access to attorneys. This disparity creates an unjust power imbalance in the courtroom, where landlords' interests are legally protected, while tenants' rights may remain unguarded.



Without this bill, we will continue to witness the severe consequences of unequal representation. Tenants lacking legal representation face significant disadvantages. They may unwittingly relinquish their rights or make uninformed decisions that detrimentally affect their housing stability. Furthermore, many tenants, driven by fear or a lack of legal knowledge, opt not to appear in court, resulting in default judgments against them.

This bill also promises to ensure fairness and housing stability by providing tenants and landlord owner-occupants with access to legal counsel during eviction proceedings. This access constitutes a fundamental step toward leveling the playing field, guaranteeing that all parties involved in eviction cases have the opportunity to navigate the legal system fairly and protect their rights.

The bill's provisions align with the work undertaken by our office, dedicated to helping residents find and maintain stable, safe, and affordable housing. It ensures equal access to resources and information, further promoting upstream eviction prevention by offering critical resources and support to both tenants and landlords.

The bill will enable us to create data-informed policy by consistently examining data. A [study](#) by Nicole Summers, spanning over five years and encompassing more than 1,000 eviction cases, revealed a direct, positive correlation between having legal representation and the outcomes of eviction cases. Shockingly, over 60% of filed cases resulted in punitive measures, disproportionately affecting tenants. These alarming statistics underscore the immediate need for the passage of this bill.

In a society where access to justice should be an inherent right for all, this bill represents a pivotal step toward achieving this goal. It acknowledges that housing stability transcends the provision of shelter and encompasses the equitable treatment of individuals and families within our legal system.

I implore the Housing Committee to consider the immense impact that this bill can have on the lives of our fellow residents. By advancing this legislation, we can take a significant stride toward reducing homelessness, fortifying our communities, and upholding the principles of justice and equity that the Commonwealth stands for.

Thank you for your attention to this matter. On behalf of the Mayor's Office of Housing, I strongly urge you to favorably report this bill out of committee for consideration by the entire Legislature.

Sincerely,

Danielle Johnson, Esq.



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Deputy Director, Office of Housing Stability  
Mayor's Office of Housing