

## Homeless Children

A national study estimates that **14.8 % of children experienced eviction by age 15.**<sup>1</sup> More than one in four children in families living below the federal poverty line experienced an eviction by age 15, and children born to Black and Hispanic mothers were more likely to experience an eviction than children born to white mothers.<sup>2</sup> This data suggests that eviction plays a critical role in perpetuating poverty and spatial inequality.<sup>3</sup>

## Health Impacts of Evictions on Children

Children in families with a history of evictions are more likely to be in fair/poor health compared to families without an eviction; negative health impacts of evictions include child malnutrition, depression, anxiety, and psychological distress.<sup>4</sup> Evictions during pregnancy are associated with significant increases in low birth weight and premature birth, which can have lifelong health impacts.<sup>5</sup>

## Homelessness and Trauma

Evictions are destabilizing events that increase families' financial stress and result in psychological and physical insecurity for children.<sup>6</sup> Children who are evicted suffer emotionally and academically.<sup>7</sup>

## Homeless Students in Massachusetts

In the 2018-19 school year, the Commonwealth's public schools educated 24,658 homeless students.<sup>8</sup> The number of homeless students in Mass has risen steadily over the past 2 years, with 20,872 homeless students in the 2016-17 school year, and 23,601 in the 2017-18 school year.<sup>9</sup> When compared to the rest of the nation, Massachusetts has a high percentage of homeless students who are English learners and who have disabilities.<sup>10</sup>

## Children at Increased Risk of Eviction

The mere presence of children puts households at a significantly heightened risk that an eviction will be filed against them, and that judgment will enter.<sup>11</sup> In Mass, 45% percent of cases handled by a temporary expanded legal assistance project in Massachusetts involved a household with children.<sup>12</sup>

## Access to Counsel Changes Lives

As of June 2021, under a temporary expanded legal assistance project in Mass, 90% of eviction cases resulted in the tenancy being preserved or receiving more time to move out.<sup>13</sup> Right to counsel is a part of a comprehensive approach to level the playing field, prevent displacement, and provide housing stability for the state's most vulnerable residents. The RTC Coalition consists of over 200 diverse orgs including municipal leaders, teachers, property owners, and health care workers.

**“Having children is the single greatest predictor of whether someone will face an eviction.”<sup>14</sup>**

Bryce Covert  
The New Republic, March 16, 2021

## The Bills

S.874 and H.1436 would ensure that low-income tenants and owner-occupants of 1 to 3 family homes receive full legal representation. The program would be administered by the Mass Legal Assistance Corporation.

## Momentum behind RTC

On August 27, 2021, the Treasury, Justice, and Housing Departments jointly urged states and municipalities to seize the opportunity provided by COVID relief funds and use American Rescue Plan Act (ARPA) funds to support long term housing stability programs, including right to counsel.<sup>15</sup> Connecticut just passed a right to counsel bill and funded it initially with \$20 million in ARPA dollars over 2 years.<sup>16</sup>

## Starting a Right to Counsel Program in Mass

The Right to Counsel Coalition is urging the Legislature to fund the Right to Counsel with **American Rescue Plan Act (ARPA) funding and allocate \$78 million over the next three years, or \$26 million/year**, to launch the Right to Counsel in Massachusetts while a permanent source of funding is identified. Funding in the amount of \$26 million/year was recommended by a 2020 report from the BBA.

**For more information:**  
**MassRTC.org**

Prepared: Oct. 1, 2021

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- <sup>1</sup> Ian Lundberg and Louis Donnelly, How Many Children Experience Eviction During Childhood?, April 17, 2019, <https://housingmatters.urban.org/research-summary/how-many-children-experience-eviction-during-childhood>
- <sup>2</sup> Id.
- <sup>3</sup> Id.
- <sup>4</sup> Benfer, E.A., Vlahov, D., Long, M.Y. *et al.* Eviction, Health Inequity, and the Spread of COVID-19: Housing Policy as a Primary Pandemic Mitigation Strategy. *J Urban Health* 98, 1–12 (2021), <https://doi.org/10.1007/s11524-020-00502-1>.
- <sup>5</sup> Vásquez-Vera, Hugo, *et al.*, The Threat of Home Evictions and its Effects on Health Through the Equity Lens: A Systematic Review, *Social Science & Medicine*, Vol. 175, 199–208 (2017) <https://pubmed.ncbi.nlm.nih.gov/28107704/>.
- <sup>6</sup> Supra note 1.
- <sup>7</sup> Id.
- <sup>8</sup> National Center for Homeless Education, Federal Data Summary School Years 2016-17 Through 2018-19, April 2021, <https://nche.ed.gov/wp-content/uploads/2021/04/Federal-Data-Summary-SY-16.17-to-18.19-Final.pdf>
- <sup>9</sup> Id.
- <sup>10</sup> Id.
- <sup>11</sup> Matthew Desmond, et al, Evicting Children, *Social Forces*, Vol. 91(1), September 2013, [https://scholar.harvard.edu/files/mdesmond/files/social\\_forces-2013-desmond-303-27.pdf](https://scholar.harvard.edu/files/mdesmond/files/social_forces-2013-desmond-303-27.pdf).
- <sup>12</sup> Massachusetts Legal Assistance Corporation, 2021. CELHP Case Data Through 6/30/2021.
- <sup>13</sup> Id.
- <sup>14</sup> Bryce Covert, “Why Landlord Target Mothers for Eviction,” *The New Republic*, March 16, 2021, <https://newrepublic.com/article/161578/landlords-target-mothers-eviction-crisis-covid>
- <sup>15</sup> Letter from U.S. Department of Treasury Secretary Janet Yellen, U.S. Department of Justice Attorney General Merrick Garland, and U.S. Department of Housing and Urban Development Secretary Marcia Fudge to Governors, Mayors, County Executives, and Chief Justices/State Court Administrators, August 27, 2021, <https://home.treasury.gov/system/files/136/Eviction-Moratorium-Joint-Letter.pdf>
- <sup>16</sup> Connecticut Public Act No. 21-34 (2021), available at <https://www.cga.ct.gov/2021/ACT/PA/PDF/2021PA-00034-R00HB-06531-PA.PDF>