

Older Adults in Crisis

As of August 30, 2021, over 3 million renters aged 55 and over reported no or only slight confidence in their ability to make next month's rent payment, with over 50,000 renters of that age in Massachusetts reporting no or only slight confidence in their ability to pay rent.¹

Older Women at Risk of Housing Instability

Nearly 2/3 of people aged 65 and older who are living in poverty are women and are at a high risk of housing instability.² Older women of color are particularly at risk, with Black, Hispanic, and Indigenous women being almost twice as likely to live in poverty than older white women.³

Older Adults and Homelessness

Older adults living alone or on fixed incomes are increasingly threatened with housing instability and homelessness.⁴ A report projects that the older adult population experiencing homelessness in Boston will nearly triple between 2011 and 2030.⁵ The increases in homelessness among older adults will also lead to a projected doubling in shelter and health care costs from \$33.2 million in 2011 to \$67.4 million in 2030.⁶

Older Adults in Public Housing

66% of public housing tenants in Massachusetts are older adults or disabled.⁷ Public and subsidized housing tenants are often at a heightened risk of eviction or threat of eviction.⁸ In Boston, more eviction cases were brought against tenants living in subsidized housing than those living in market rate housing.⁹

Cost Burdened and in Economic Distress

Nationally, more than half of renters aged 62 and older are cost burdened paying more than 30% of their monthly income for housing costs, and almost one third severely cost burdened, paying more than half of their income on rent.¹⁰ Due to insufficient retirement savings, difficulty getting hired, and lack of affordable housing, many older Americans are at a greater risk of housing instability and eviction.¹¹

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 additional time to move out.¹² 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 organizations including municipal leaders, property owners, and health care workers.

“The COVID-19 pandemic has not only exposed serious health vulnerabilities among older adults but has created economic instability for millions of older households.”¹³

David Certner, AARP
July 30, 2020

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.¹⁴ Connecticut just passed a right to counsel bill and funded it initially with \$20 million in ARPA dollars over 2 years.¹⁵

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

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- ¹ U.S. Census Bureau Household Pulse Survey, Week 36, Household Table 2b, <https://www.census.gov/data/tables/2021/demo/hhp/hhp36.html>
- ² Justice in Aging, Older Women & Poverty, December 2018, <https://justiceinaging.org/wp-content/uploads/2020/08/Older-Women-and-Poverty.pdf>
- ³ Id.
- ⁴ Culhane, Dennis, et al., “The Emerging Crisis of Aged Homelessness: Could Housing Solutions Be Funded by Avoidance of Excess Shelter, Hospital, and Nursing Home Costs?” January 2019, <https://www.aisp.upenn.edu/wp-content/uploads/2019/01/Emerging-Crisis-of-Aged-Homelessness-1.pdf>.
- ⁵ Id.
- ⁶ Id.
- ⁷ MassNAHRO, “Be a Local Hero: Save Public Housing,” <https://massnahro.org/page/save-public-housing>
- ⁸ The Poverty and Inequality Research Lab & John Hopkins University, “Urban Landlords and the Housing Choice Voucher Program: A Research Report,” May 2018, <https://www.huduser.gov/portal/sites/default/files/pdf/Urban-Landlords-HCV-Program.pdf>
- ⁹ Eviction Prevention Task Force, An Action Plan to Reduce Evictions in Boston, December 2019, https://www.boston.gov/sites/default/files/file/2020/01/An_Action_Plan_to_Reduce_Evictions_in_Boston_%28report%29%20200109_1.pdf
- ¹⁰ GERALYN MAGEN, LeadingAge LTSS Center @ UMass Boston, “Older Adults on the Edge of Eviction.” May 25, 2021, <https://www.ltsscenter.org/older-adults-on-the-edge-of-eviction/>
- ¹¹ Annie Nova, CNBC, “He’s 75 and facing eviction. Many other older renters are, too,” June 22, 2021, <https://www.cnbc.com/2021/06/22/millions-of-renters-may-soon-be-evicted-heres-one-familys-story-.html>
- ¹² Massachusetts Legal Assistance Corporation, 2021. CELHP Case Data Through 6/30/2021.
- ¹³ Letter from David Certner, Legislative Counsel and Legislative Policy Director, Government Affairs, AARP to U.S. Department of Housing and Urban Development Secretary Ben Carson, July 30, 2020, <https://www.aarp.org/content/dam/aarp/politics/advocacy/2020/07/aarp-letter-to-hud-re-eviction-foreclosure-moratorium-073020.pdf>
- ¹⁴ 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>
- ¹⁵ Connecticut Public Act No. 21-34 (2021), available at <https://www.cga.ct.gov/2021/ACT/PA/PDF/2021PA-00034-R00HB-06531-PA.PDF>