

# THE RIGHT TO COUNSEL AND VETERANS

## S. 874/H. 1436

### Unsheltered Veterans in Crisis

On a single night in January 2020, almost 40,000 veterans were experiencing homelessness in the United States.<sup>1</sup> This number was an increase from 2019, and the increase was entirely among veterans in unsheltered places including on the street, in abandoned buildings, or in other places not suitable for human habitation.<sup>2</sup>

### Veteran Homelessness

As of Jan 2020, about 900 veterans in Mass were experiencing homelessness.<sup>3</sup> Compared to other states, the rate of veteran homelessness in Mass is decreasing more slowly than the rest of the country.<sup>4</sup> Often, veteran homelessness intersects with substance use and mental health conditions.<sup>5</sup>

### Affordability Crisis

There are approximately 300,000 veterans in Massachusetts.<sup>6</sup> Of these, approximately 60,000 veterans live in homes with unsafe conditions or overcrowding or the veterans suffers from high rent burden.<sup>7</sup> Housing affordability is the greatest housing problem among veterans with about 31.1% of Mass veterans paying too much for housing.<sup>8</sup>

### Access to Counsel Changes Lives

In Massachusetts, 9 out of 10 tenants do not have legal representation when they are in court facing eviction.

Data continues to demonstrate that access to counsel makes a difference. Recently, under the COVID Eviction Legal Help Project, **positive outcomes were obtained in 92% of cases receiving extended legal services** (66% of cases the tenancy was preserved; 26% of cases additional time was received.)<sup>11</sup>

- S.874 and H.1436 would ensure that low-income tenants and owner-occupants of 1 to 3 family homes receive full legal representation in an eviction case.
- S.874 and H.1436 are part of a comprehensive approach to level the playing field and provide housing stability for very vulnerable people.

**"Evictions – particularly unfair and sometimes illegal evictions – can erase, in what feels like an instant, our sometimes months-long efforts to house veterans and their families. When veterans we serve are faced with an eviction or unsafe housing, we do everything we can to help them pay rental arrears or find alternatives. There are cases, however, where a solution is beyond our resources and capabilities. In these instances, legal counsel is the best help these veterans can have. Low-income tenants, which include a great many veterans in the Commonwealth, deserve to have an attorney by their side when faced with evictions or unsafe housing."**

Charles Gagnon  
Volunteers of America Massachusetts  
[Commonwealth Magazine](#), May 8, 2022



For more information  
[www.MassRTC.org](http://www.MassRTC.org)

## Endnotes

- <sup>1</sup> U.S. Dept. of Housing and Urban Development, “HUD Releases 2020 Annual Homelessness Assessment Report Part 1, Homelessness Increasing Even Prior to COVID-19 Pandemic,” March 18, 2021, [www.hud.gov/press/press\\_releases\\_media\\_advisories/hud\\_no\\_21\\_041](http://www.hud.gov/press/press_releases_media_advisories/hud_no_21_041)
- <sup>2</sup> Id.
- <sup>3</sup> United States Interagency Council on Homelessness, “Massachusetts Homelessness Statistics,” [www.usich.gov/homelessness-statistics/ma/](http://www.usich.gov/homelessness-statistics/ma/)
- <sup>4</sup> Joseph Curtatone and Charles Gagnon, “Veterans Facing Homelessness Deserve More,” Commonwealth, August 8, 2021, <https://commonwealthmagazine.org/opinion/veterans-facing-homelessness-deserve-more/>
- <sup>5</sup> Id.
- <sup>6</sup> Housing Assistance Council, “Supporting Veterans in Massachusetts” Infographic, [www.veteransdata.info/states/2250000/MASSACHUSETTS.pdf](http://www.veteransdata.info/states/2250000/MASSACHUSETTS.pdf)
- <sup>7</sup> Id.
- <sup>8</sup> Id.
- <sup>9</sup> Robert Sisk, “VA Warns of ‘Dramatic Increase’ in Homeless Veterans as Eviction Moratorium Ends,” Military.com, June 17, 2021, <https://www.military.com/daily-news/2021/06/17/va-warns-of-dramatic-increase-homeless-veterans-eviction-moratorium-ends.html>
- <sup>10</sup> Id.
- <sup>11</sup> Massachusetts Legal Assistance Corporation, 2022. CELHP Case Data through 3/31/22.
- <sup>12</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>13</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>

