

Women in Crisis due to Housing Instability

As of Aug. 30, 2021, about 4.4 million women nationally and over 65,000 women in Massachusetts were behind on rent.¹ Women are evicted 16% more often than men;² and 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.³

Evictions Disproportionately Affect Women, Particularly Black Women

Asian, Black, and Latinx women are more likely to be behind on rent than white women.⁴ Black and Latinx renters are more likely to experience serial evictions, with 1 in 7 facing multiple evictions at the same address.⁵ Black women are more likely to have eviction cases filed against them, while also being more likely to have their eviction case dismissed.⁶

Mothers, Children, and Eviction

Mothers are being evicted far more frequently than others, especially single mothers.⁷ The mere presence of children puts one at a significantly heightened risk of being evicted.⁸

Health Impacts of Evictions on Women

Evictions negatively affect women's health and increase maternal depression and parenting stress.⁹ For women facing eviction while pregnant, the stress of evictions are associated with low birth weight and premature birth.¹⁰

Housing and Domestic Violence

Domestic violence survivors can face evictions due to that violence and are often unaware of eviction defenses.¹¹ 92% of homeless women have experienced physical or sexual violence at some point in their lives.¹²

Access to Counsel Changes Lives

As of June 2021, under a temporary expanded legal assistance project in Mass. nearly 70% of eviction cases handled were on behalf of women.¹³ Right to counsel is a part of a comprehensive approach to level the playing field, prevent displacement, and provide housing stability for very vulnerable people in our communities. The Right to Counsel Coalition consists of over 200 diverse organizations including municipal leaders, property owners, and health care workers.

“It came down to a matter of feeding the kids or paying the rent,” Crystal Newhall, New Bedford

WBUR, Sept. 9, 2021¹⁴

“The eviction crisis is a women’s crisis – the right to counsel can help.”

National Women’s Law Center, July 28, 2021¹⁵

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.¹⁶ Connecticut just passed a right to counsel bill and funded it initially with \$20 million in ARPA dollars over 2 years.¹⁷

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, Week 36 Household Pulse Survey: August 18 - August 30, 2021, <https://www.census.gov/data/tables/2021/demo/hhp/hhp36.html>
- ² Hannah Middlebrooks, National Women’s Law Center, “The Eviction Crisis is a Women’s Crisis - The Right to Counsel Can Help”, July 28, 2021, <https://nwl.org/blog/the-eviction-crisis-is-a-womens-crisis-the-right-to-counsel-can-help/>
- ³ Justice in Aging, Older Women & Poverty, December 2018, <https://justiceinaging.org/wp-content/uploads/2020/08/Older-Women-and-Poverty.pdf>
- ⁴ Jasmine Tucker and Claire Ewing-Nelson, “As Eviction Deadline Looms, Black Women are Over Two Times More Likely to be Behind on Rent,” Ms., December 18, 2020, <https://msmagazine.com/2020/12/18/as-eviction-deadline-looms-black-women-are-over-two-times-more-likely-to-be-behind-on-rent/>
- ⁵ Supra note 2.
- ⁶ Sophie Beiers, Sandra Park, Linda Morris, ACLU, “Clearing the Record: How Eviction Sealing Laws can Advance Housing Access for Women of Color,” January 10, 2020, <https://www.aclu.org/news/racial-justice/clearing-the-record-how-eviction-sealing-laws-can-advance-housing-access-for-women-of-color/>
- ⁷ Lauren Sandler, “America Could Soon Face a Wave of Single Moms Being Evicted. A Simple Solution Exists That Could Help Them,” Time, May 28, 2021, <https://time.com/6052556/evictions-single-moms-covid-19/>
- ⁸ 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>
- ⁹ Gracie Himmelstein & Matthew Desmond, “Eviction and Health: A Vicious Cycle Exacerbated by a Pandemic,” Health Affairs, April 1, 2021, <https://www.healthaffairs.org/doi/10.1377/hpb20210315.747908/full/>
- ¹⁰ “Eviction during a Pregnancy is Dangerous for Women and Newborns,” Living Health Babies, March 9, 2021, <https://www.livinghealthybabies.com/Pregnancy/Complications/6,1650894197>
- ¹¹ Domestic Violence and Evictions, LifeWire, December 17, 2020, <https://www.lifewire.org/evictions/>
- ¹² Lisa Olsen, MA, MSW, Chiquita Rollins, PhD, Kris Billhardt, Med, EdS, “The Intersection of Domestic Violence and Homelessness”, Domestic Violence Housing First, June 2013, <https://wscadv.org/wp-content/uploads/2015/05/IntersectionPaperDVHF.pdf>
- ¹³ Massachusetts Legal Assistance Corporation, 2021. CELHP Case Data Through 6/30/2021.
- ¹⁴ Ben Berke, “Mass. Renters on the South Coast were Twice as Likely to be Evicted, Despite Federal Moratorium, September 8, 2021, <https://www.wbur.org/news/2021/09/08/eviction-surge-new-bedford-fall-river>
- ¹⁵ Supra note 2.
- ¹⁶ 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>
- ¹⁷ Connecticut Public Act No. 21-34 (2021), available at <https://www.cga.ct.gov/2021/ACT/PA/PDF/2021PA-00034-R00HB-06531-PA.PDF>