



The Honorable Maura Healey
Governor of Massachusetts
State House Room 360
Boston, MA 02133

Secretary Matthew Gorzkowicz
Executive Office of Administration and Finance
State House Room 373
Boston, MA 02133

RE: Access to Counsel Program for Evictions Dedicated Line Item FY25 Budget Request of \$7 million

December 22, 2023

Dear Governor Healey and Secretary Gorzkowicz,

The League of Women Voters of Massachusetts (LWVMA) applauds your commitment to addressing the urgent housing crisis. We respectfully request that you include in the FY25 budget language to establish an Access to Counsel Program and funding of \$7 million to phase in an Access to Counsel Program for low-income tenants and low-income owner occupants in eviction proceedings.

An Access to Counsel program must be part of a comprehensive strategy to address housing instability. Data from the Massachusetts COVID Eviction Legal Help Project (CELHP), which was part of a comprehensive initiative to keep tenants safely in their homes when the state eviction moratorium expired, resulted in positive outcomes in 92% of eviction cases receiving extended services. In 66% of cases the tenancy was preserved and in 26% of cases additional time was received to better enable tenants to successfully relocate.

Data from the Trial Court for Fiscal year 2022 shows us the inequity of legal representation that needs to be corrected. While 86% of landlords were represented, only 11.5% of tenants were represented. Tenants facing eviction are overwhelmingly poor, female, and people of color. It is unacceptable that 9 out of 10 tenants are unrepresented; that more than 1 in 4 children living in poverty experience eviction by the age of 15; and that evictions are forcing families into shelters and unsafe housing conditions especially as we approach the winter months. Evictions negatively affect people's physical and mental health, and result in job loss and decreased school attainment for children.

It is urgent to reduce the trauma caused by evictions for tenants and small landlords. LWVMA is especially concerned because the National Women's Law Center stated, "[t]he eviction crisis is a women's crisis -- the right to counsel can help." As of August 30, 2021, about 4.4 million women nationally and over 65,000 women in Massachusetts were behind on rent. Women are evicted 16% more often than men, and nearly 3/4 of people aged 65 and older who are living in poverty are women and are at a high risk of housing instability. Mothers are being evicted far more frequently than others, especially single mothers. The mere presence of children puts one at a significantly heightened risk of

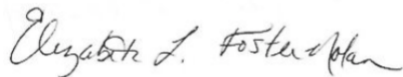
being evicted. Domestic violence survivors can face evictions due to that violence and are often unaware of eviction defenses. 92% of homeless women have experienced physical or sexual violence at some point in their lives. These statistics mean that nearly all low-income tenants face the complicated and fast-moving eviction process alone, often going up against savvy landlords' attorneys resulting in swift eviction, and the disparity in representation has been growing.

Evictions disproportionately affect low-income renters and communities of color. The ACLU Women's Project found that in Massachusetts, Black tenants are twice as likely as white tenants to face eviction despite making up only 11% of Massachusetts' population. Black women are 2.5 times more likely than white women to face eviction. Access to counsel will give these community members the legal assistance they need to have a fair chance in asserting their rights in court and staying in their homes, thereby stabilizing housing, and communities in the long term. Evictions lead to homelessness, housing instability, overcrowding, displacement, and disruption of schooling for children, all of which are associated with negative health outcomes. s

The Boston Bar Association found that by providing full legal representation in eviction proceedings, the Commonwealth ultimately saves on costs associated with homelessness, including emergency assistance and shelter, health care, and foster care. Specifically, in their report, full legal representation in eviction cases would cost the Commonwealth \$26.29 million while the cost savings associated with such representation are estimated to be \$63.02 million. For every dollar spent on full legal representation in eviction cases, the Commonwealth saves approximately \$2.40 on the direct costs associated with homelessness. The League has long been concerned about the availability of legal representation for both complainant and persons or institutions against whom complaints are lodged.

For these reasons, LWVMA, representing more than 3,000 members in 43 local Leagues from Cape Cod to the Berkshires, urges you to include \$7 million in your FY25 budget to start to phase in a statewide Access to Counsel Program.

Sincerely,



Elizabeth Foster-Nolan
Co-President



Marie Gauthier
Co-President