



**PUBLIC HEALTH INSTITUTE
OF WESTERN MASSACHUSETTS**

PARTNERS FOR HEALTH EQUITY

May 12, 2023

Chair Michael Day, Joint Committee on the Judiciary
Chair James Eldridge, Joint Committee on the Judiciary
Massachusetts State House
Room 136
Boston, MA 02133

RE:

- **Support for H.1731** – Reps. D. Rogers & Day - *An Act promoting access to counsel and housing stability in Massachusetts*
- **Support for H.1690/S.956**, Rep. Moran & Sen. Edwards - *An Act promoting housing opportunity and mobility through eviction sealing (HOMES)*

Dear Chair Day, Chair Eldridge, and Members of the Joint Committee on the Judiciary

On behalf of the Public Health Institute of Western Massachusetts, I am writing to express our strong support for **H.1731 and H.1690/S.956** because these bills will help reduce the physical and emotional harms done to our neighbors experiencing housing instability.

Long before the COVID-19 pandemic, we knew that safe, stable housing is fundamental for good health and well-being.¹ From conducting community health needs assessments throughout Western Massachusetts, we hear repeatedly from residents and medical professionals that housing security is of the utmost importance. Moving frequently and/or unpredictably from home-to-home results in people experiencing **higher rates of chronic disease and mental illness—including suicide**—than those who are stably housed.² Even those who are *threatened* with eviction are more likely to experience high blood pressure, depression, anxiety, and

¹ ["Housing And Health: An Overview Of The Literature," Health Affairs Health Policy Brief, June 7, 2018. DOI: 10.1377/hpb20180313.396577](https://doi.org/10.1377/hpb20180313.396577)

² ["The Public Health Implications of Housing Instability, Eviction, and Homelessness," The Network for Public Health Law factsheet, April 21, 2021](#)

psychological distress.³ And, unfortunately, people of color are disproportionately affected by unstable housing situations, exacerbating existing health inequities.⁴

Given the housing crisis we are now experiencing, with a marked increase in the number of eviction filings in the Commonwealth, we must **provide access to counsel** for people threatened with eviction and help reduce barriers for those looking for a home by allowing more people to **seal evictions** that unfairly stigmatize them.

An Act promoting access to counsel and housing stability in Massachusetts, H.1731, introduced by Chair Day and Representative D. Rogers, is essential now more than ever as numbers of evictions rise. In Massachusetts, only 11% of tenants have the benefit of legal counsel when they are facing the horribly stressful risk of losing their home. Most of these people are poor, women, and people of color. In contrast, the vast majority landlords (upwards of 90%) have a lawyer in eviction cases.⁵ **Municipalities in Western Massachusetts face even starker numbers.** In Chicopee, only **5% of tenants** facing eviction had a lawyer, while **91% of the landlords** did.⁶ This bill would change that, by requiring legal representation for low-income tenants *as well as* low-income owner-occupants in eviction proceedings. We know that providing legal assistance can be helpful thanks to data from the Massachusetts COVID Eviction Legal Help Project. This effort, which helped people stay in their homes when the state eviction moratorium ended, reports that 92% of their cases resulted in positive outcomes for their clients.

An Act promoting housing opportunity and mobility through eviction sealing (HOMES), H.1690 introduced by Representative Moran, and **S.956** introduced by Senator Edwards, would help many more people to rent a home, by simply giving them a fair chance. Too many people have a stigmatizing mark on their rental history record, even if the case was dismissed or if they won in court. A disproportionate number of people of color—especially women of color—have eviction cases filed against them. The core problem with the current system is that as soon as an eviction case is filed, all involved have permanently stained records that are publicly visible. This makes it much harder—if not impossible—to rent another home.⁷ Currently there is nothing an individual can do to seal their own case, regardless of how much time has passed, the context of the situation, or even if they won their case. Several other states, including

³ [Vásquez-Vera H, Palència L, Magna I, Mena C, Neira J, Borrell C. “The threat of home eviction and its effects on health through the equity lens: A systematic review,” Soc Sci Med. 2017 Feb;175:199-208. doi: 10.1016/j.socscimed.2017.01.010. Epub 2017 Jan 9. PMID: 28107704.](#)

⁴ [“The Public Health Implications of Housing Instability, Eviction, and Homelessness,” The Network for Public Health Law factsheet, April 21, 2021.](#)

⁵ [Massachusetts Trial Court Department of Research & Planning, May 9, 2023.](#)

⁶ Ibid.

⁷ [Massachusetts Law Reform Institute, “Evicted for Life: How Eviction Court Records Are Creating a New Barrier to Housing,” June 12, 2019.](#)

California, New Jersey, Illinois, and Texas allow for eviction sealing, and so should Massachusetts.

We hope you will report these bills favorably, without delay. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Jessica Collins". The signature is written in a cursive, flowing style.

Jessica Collins
Executive Director

ADDITIONAL REFERENCES

[Beires, Sophie, Park, Sandra, and Morris, Linda, "Clearing the Record: How Eviction Sealing Laws Can Advance Housing Access for Women of Color," ACLU, January 10, 2020.](#)

[Bovell-Amman, Allison, "The Hidden Health Crisis of Eviction," Boston University School of Public Health, 2018.](#)

[Coucair MD, Bechara, "Housing for health: Why health cannot happen without housing," Kaiser Permanente, August 29, 2019.](#)

[Himmelstein, Gracie and Desmond, Matthew, "Eviction and Health: A Vicious Cycle Exacerbated by A Pandemic," Health Affairs, April 1, 2021.](#)

[US Dept. of Health & Human Services, "Healthy People 2023: Housing Instability Literature Summary," Office of Disease Prevention & Health Promotion, May 9, 2023.](#)