

# Pass S. 2785: Prevent Evictions During COVID

*An Act Promoting Housing Stability and Homelessness Prevention through a Right to Counsel Pilot Program in Massachusetts in Response to the COVID Emergency*

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## A statewide Right to Counsel Pilot is part of an essential response to the eviction tidal wave expected when the moratorium lifts

Unless the Governor extends the statewide eviction moratorium, it could end on August 18<sup>th</sup>. When the moratorium ends, courts will be flooded with eviction cases.

- Landlord organizations estimate 15,000 new evictions will be filed.
- Frontline non-profits have been inundated with calls from tenants unable to pay their rent.
- Applications for emergency rental assistance payments are off the charts.
- Families with children, people who speak a language other than English, and workers of color will be especially at risk of housing instability ([Research Brief](#) from Metropolitan Area Planning Council)

In the seven weeks between the beginning of the outbreak in March 2020 and the eviction moratorium in April 2020, 78% of eviction filings in Eastern Housing Court happened in communities of color.

*"Evictions in Boston: The Uneven Effects of Forced Moves on Communities of Color," Report by City Life Vida Urbana in partnership with researchers at the Massachusetts Institute of Technology (June 2020).*

## Comprehensive Response Needed

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To avert the coming eviction crisis, Massachusetts needs a comprehensive eviction prevention response that includes rental assistance, building the capacity of non-profits to prevent evictions before court, and full legal representation in eviction cases in court to stabilize people's housing.

## Legislators Call for COVID Statewide Right to Counsel Pilot

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Senator DiDomenico has filed **S. 2785 to protect renters and owner-occupants in areas of the state hardest hit by COVID-19**. [See who is co-sponsoring](#)

The pilot is consistent with principles adopted by the Massachusetts Right to Counsel Coalition. The broad-based coalition represents more than 130 organizations that include municipalities, community groups, tenant organizations, housing advocates, large property owners, unions, women's organizations, and many more. [See who Supports the Right to Counsel](#)

## Under S. 2785:

- A right to counsel pilot would provide full legal representation in eviction proceedings through dedicated new staffing to tenants and owner-occupants whose incomes do not exceed 200% of poverty.
- Legal representation would be provided by designated non-profit organizations with expertise in housing law and experience representing low-income people.
- Projects would be established statewide in at least two areas within each of the Housing Court's six divisions, depending on the resources available.
- Pilot locations would be selected based on certain indicators that capture the devastation that COVID-19 has had on renters and lower-income homeowners.
- Given the need for rapid implementation, the pilot would be based in the Executive Office of Housing and Economic Development with clear and quick time frames.
- Funding for the pilot must come from COVID relief and other sources, including private sources, that do not impact state funding for essential frontline civil legal aid, housing stabilization, and affordable housing programs.

**For every \$1 invested in full representation for eviction prevention, the Commonwealth can save \$2.40 in shelter, health care, and foster care costs associated with homelessness.**

*Investing in Fairness, Justice and Housing Stability: Assessing the Benefits of Full Legal Representation in Eviction Cases in Massachusetts*, A Report of the Boston Bar Association (June 2020)

According to a recent study by the Boston Bar Association, the average legal cost for each eviction case is \$1,151. With an investment of \$3 million, full legal representation could be provided for approximately 2,180 households; and with an investment of \$6 million, the pilot could provide full legal representation for approximately 4,800 households. [See Boston Bar Association report.](#)

Over 90% of tenants face eviction without legal representation, while 78% of landlords have lawyers, an imbalance that may be felt even more when the moratorium ends.

**It's time to change the imbalance of representation.  
Pass S. 2785**