



October 12, 2021

Honorable Michael J. Rodrigues
Senate Chair
Joint Committee on Ways and Means

Honorable Aaron Michlewitz
House Chair
Joint Committee on Ways and Means

Honorable Daniel Hunt
House Chair
House Committee on Federal Stimulus and Census Oversight

Honorable John Keenan
Senate Chair
Joint Committee on Housing

Honorable James Arciero
House Chair
Joint Committee on Housing

In Support of Passage and Funding of *an Act promoting housing stability and homelessness prevention in Massachusetts S. 874 (Sen. Sal DiDomenico), H. 1436 (Rep. David Rogers and Rep. Michael Day)*

As of August 30, 2021, about 100,000 renters in Massachusetts were not confident at all that they could make next month’s rent payment, and almost 125,000 renters were only slightly confident of their ability to pay next month’s rent. As property owners, we urge immediate **passage of S. 874 and H. 1436, which would create a statewide right to counsel program for eviction cases.**

Last year, a number of us joined together to urge passage of a statewide right to counsel pilot program. We are grateful for the Governor’s leadership in creating a temporary COVID eviction legal help project, which has had life-changing results. From about January of this year to the end of June, the project has helped over 7,700 people, of which at least 2,600 were children, and legal representation resulted in successful outcomes in 90% of closed cases, with tenancy being preserved in 70% of cases and the receipt of additional time to move out in 20% of cases.¹ Access to counsel has made an impactful difference. We need to hold onto the transformational results created by this successful program by enacting systemic change through a statewide right to counsel program.

Other states and municipalities across the country are passing right to counsel, some funding it with COVID relief funding. Recently, the U.S. Treasury, Justice, and Housing Departments in a [joint letter](#) urged states and municipalities to use COVID relief funds to prevent evictions and help households in need, including supporting the right to counsel.

In June, Connecticut passed a statewide right to counsel program and funded it with ARPA dollars over the next two years while a permanent source of funding was located.

¹ Massachusetts Legal Assistance Corporation, 2021. CELHP Case Data through 6/30/2021.

In May, Maryland passed a statewide right to counsel program. In April, Washington state passed a right to counsel program. Milwaukee and Louisville are using COVID relief funding to enact right to counsel programs.

We urge you to seize this opportunity to invest in long-term housing stability reform through a statewide right to counsel.

The harms of evictions and housing instability are well documented. Evictions disproportionately impact people of color, particularly women of color. Evictions result in adverse health outcomes from anxiety to increased hospitalizations. Evictions uproot children from schools and result in homelessness. Evictions have significant monetary costs including emergency shelter, health care, and foster care costs.

Access to counsel not only saves lives, it saves money. A Boston Bar Association report found that the Commonwealth could save at least \$2.40 in annual costs for every dollar invested in a right to counsel program. This is the low end of projected savings with other jurisdictions finding cost savings as high as \$12.74 for every dollar spent on counsel.

A right to counsel program is a piece of a comprehensive response to avoid displacement and increase housing stability, which Massachusetts should adopt to level the playing field and address the inequity of representation. In Fiscal Year 2020, only 8.5% of tenants in Massachusetts had legal representation in eviction cases, whereas 81% of landlords had a lawyer. It's time to level this uneven playing field.

We urge the Massachusetts Legislature to make an investment, as other states have done, and launch a strong Right to Counsel that makes sense for our Commonwealth.

Thank you.

Janet Frazier
President
Maloney Properties, Inc.

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Cc: Senate President Spilka
Speaker of the House Mariano