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September 27, 2023

Honorable Lydia Edwards
Senate Chair, Joint Committee on Housing

Honorable James Arciero
House Chair, Joint Committee on Housing

Delivered via email to luke.oroark@mahouse.gov,
christianna.golden@masenate.gov

**RE: Women's Bar Association's Support for S.864, An Act promoting
access to counsel and housing stability in Massachusetts**

Dear Chairs of the Joint Committee on Housing,

On behalf of the Women's Bar Association of Massachusetts (WBA), I submit this testimony in support of **S/864, An Act promoting access to counsel and housing stability in Massachusetts**. This bill would provide for access to legal representation for low income and vulnerable tenants and owner occupants of 1-3 family homes in eviction cases.

Founded in 1978, the WBA is a professional association of women attorneys with over 1,500 members across the state. We have been committed to achieving the full and equal participation of women in a just society for more than forty years. The WBA joins with the Access to Counsel Coalition, made up of over 240 diverse organizations including property owners, racial justice groups, municipal leaders, and public health members, to support this bill and urge members of the Housing Committee to report it favorably out of committee.

This bill is consistent with the WBA's mission, and our long-standing and unwavering support for MLAC funding, which is critical to ensuring equal access to justice for people living with low incomes.

The trauma of evictions has been and continues to be disproportionately felt by women. This year, between January 1, 2023 and April 10, 2023, according to the U.S. Census Bureau:

- 24,910 Massachusetts women reported it was very likely that they would need to leave their home due to eviction in the next two months; and

- 119,476 Massachusetts women reported that it was somewhat likely that they would need to leave their home due to an eviction in the next two months.¹

Data also shows that women are evicted 16% more often than men, and eviction rates are higher for women of color: each year, 36.3% more Black women are evicted than Black men.² Further, evictions disproportionately affect Black and Hispanic renters, who are more likely to experience serial evictions, 1 in 7 of them facing multiple evictions at the same address; this bill would address those racial disparities by providing counsel to low-income Black and Hispanic renters.³

Legal assistance can make a clear difference to low income and vulnerable people, and a more comprehensive strategy on housing stability is urgently needed. In Massachusetts, under the COVID Eviction Legal Help Project, a temporary project created in October 2020 in response to the pandemic, seven legal services providers handled 4,698 eviction cases statewide. **Positive outcomes were obtained in 92% of cases receiving extended services: in 66% of those cases the tenancy was preserved and in 26% of those cases additional time was received.**⁴ But that project ended on December 31, 2021.

In 2021, Connecticut passed a statewide right to counsel program for eviction cases and allocated \$20 million from American Rescue Plan funding over two years to launch their right to counsel program off the ground while they find a permanent source of funding. In 2021, Washington state and Maryland likewise passed access to counsel programs. It is time for Massachusetts to do the same.

The WBA respectfully urges you to support the passage of S.864, An Act promoting access to counsel and housing stability in Massachusetts, and provide low-income vulnerable households with a legal lifeline when they are facing eviction.

Thank you for your consideration.

Sincerely,

Jessica Babine
President, Women's Bar Association of Massachusetts

¹ U.S. Census Bureau Household Pulse Surveys for Weeks 53-57 (January 1, 2023-May 8, 2023) available at [census.gov/programs-surveys/household-pulse-survey/data.html](https://www.census.gov/programs-surveys/household-pulse-survey/data.html).

² Hannah Middlebrooks, National Women's Law Center, "The Eviction Crisis is a Women's Crisis - The Right to Counsel Can Help," 6-28-2021, [nwlc.org/blog/the-eviction-crisis-is-a-womens-crisis-the-right-to-counsel-can-help/](https://www.nwlc.org/blog/the-eviction-crisis-is-a-womens-crisis-the-right-to-counsel-can-help/)

³ Ibid.

⁴ Massachusetts Legal Assistance Corporation, 2021. CELHP Case Data through 6/30/2021.