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Senatre Chair Edwards and House Chair Arciero and Housing Committee Members, thank you and the Housing Committee for accepting my statement on behalf of WinnCompanies in support of Senate Bill, S. 864, An Act promoting access to counsel and housing stability in Massachusetts.

My name is Trevor Samios, and I'm the Senior Vice President of Connected Communities at WinnCompanies. WinnCompanies is a Boston-based national developer and manager of multifamily affordable and mixed-income housing communities, with over 19,000 apartment homes under management in the Commonwealth across 200 communities- CDCs, non-profits, resident-owned cooperatives and communities owned by our company. We are also the largest private operator of affordable housing in the state of Massachusetts. I am also submitting testimony on behalf of our peer, Beacon Communities, owner and property manager of 8,500 affordable apartment homes in the Commonwealth. Together, we manage over 27,000 apartments, home to over 69,000 families.

In my role, I oversee a team of housing-based community organizers, social workers and program specialists centered on supporting families in achieving the goals they set for themselves. One of these programs is WinnCompanies [Housing Stability Program](#), an effort focused on strengthening our commitment to eviction prevention and housing stability across our Massachusetts rental housing portfolio along with a pledge to reduce our evictions by 50% over the next five years. This effort, honed during the pandemic, aims to proactively and sustainably preserve housing stability for individuals and families through **education and outreach, upstream interventions and coordinated emergency rental assistance, protracted payment agreements and mediation, and clear accountability for our team members. We also created this program to serve** a blueprint for large and small operators of multi-family affordable and mixed-income housing to do the same.

As an owner and operator, we bring an informed, first-hand perspective of what is and what isn't working on the ground when it comes to our shared goals of housing stability and eviction diversion.

Since April 2020, our Massachusetts team members have supported over 11,000 households the program, nearly 60% of our MA residents, through protracted, responsible payment agreements, rent adjustments based on financial hardship, unemployment and benefits application assistance, and coordinated, accountable emergency rental assistance support. These efforts have helped over 3,000 of these households access over \$12 million in emergency rental assistance funds through rental assistance programs like RAFT. These efforts have also resulted in ZERO non-payment eviction filings for households facing financial hardship who have worked with us as part of the program.

Many are not participating in our program, however.

Some are households traumatized by medical and financial hardship throughout the pandemic. Some face an overwhelming fear of what appears to be insurmountable rental delinquency. There are language barriers and technology barriers to rental assistance. Some are confused by mixed messaging about the previous eviction moratorium. Within the emergency rental assistance programs, complicated legal and program compliance and language in tenant consent forms also play a role. As we've seen with some Massachusetts owners and operators in



the past six months, some households contest the delinquent rental balances attributed to their household, and will not agree to rental assistance or other supports provided by property owners. Some are unfamiliar with the income recertification process and its ability to change tenant portions of rental rates. Some just simply believe there are no options and await eviction filing as the unfortunate next step.

Because of these reasons and others, delinquency across our Massachusetts portfolio has now risen to over \$8.5 million in tenant-pay rent, affecting nearly 2,000 households that would otherwise face eviction. Still, we work to refine our Housing Stability Program so that any resident facing a non-payment eviction due to financial hardship has upstream options to maintain their home, their health, and their dignity. **A key part of this, we believe, is a right to counsel for residents facing the prospect of eviction, and we've held this belief since long before the pandemic began. We believe now, more than ever, that unrepresented residents will need counsel to navigate complicated and remote eviction processes. While the majority of property owners and their management companies have legal representation in these circumstances, we find the majority of households in the court system do not, leaving many now in the most vulnerable of situations. Similarly, small landlords unable to afford an attorney will also benefit from this bill. At its core, the right to counsel seeks housing stability and economic security for individuals, families, and communities- a principle that is central to the mission of WinnCompanies, and we believe, to the Commonwealth of Massachusetts.**

In our own experience, households facing eviction in court without Counsel face the fear and intimidation of a legal environment and process for which they have no context. Payment plans and settlement agreements offered by opposing counsel are often brief and unachievable and not fully understood. Many face disadvantages through language, mental health and other barriers. We have seen the help attorneys provide in supporting both tenants and property owners to achieve workable, fair results and as housing courts in the Commonwealth face an unprecedented backlog, right to counsel will support the efficient and expedient review and processing of cases. Access to counsel also could reduce the cost of executions. The Boston Bar Association report from 2020 estimated the cost of executing an eviction in subsidized housing is between \$5,500 and \$8,000. In Boston alone in 2014 there were 1,056 executed evictions in subsidized housing suggesting that the annual cost of executing subsidized evictions was between \$5.8 million and \$8.5 million. As legal representation leads to a decrease in tenants losing their homes, fewer executions would likely result, which would be a cost saving to property owners.

Access to counsel in combination with clear, responsible and sustainable payment agreements and coordinated rental assistance like RAFT can help to both prevent eviction executions *and* create a sustainable pathway to housing stability for so many now facing the prospect of eviction.

WinnCompanies applauds these proposed interventions to promote housing stability and provide households facing eviction with the Right to Counsel and Eviction record sealing. At this moment, we have an opportunity launch a right to counsel program in Massachusetts, like Connecticut has done, and to reimagine the future of this state- to implement what is fair, what is right, and what we know from other states can work to stem the tide of homelessness and promote pathways to true housing stability. The aftermath of our shared public health pandemic, and the economic uncertainty it has brought for so many can be faced together, and we believe these bills can have a transformational result for both the uncertainty of now and the systemic change needed for our Massachusetts communities to have long term, stable, resilient futures.

WinnCompanies urges the Housing Committee to report S. 864 out favorably with time for this bill to advance to the Governor's desk. Thank you for your time and your attention to this vital need.

