October 4, 2023

The Honorable James Arciero, Chair       The Honorable Lydia Edwards, Chair
Joint Committee on Housing                Joint Committee on Housing
State House, Room 146                    State House, Room 413C
Boston, MA 02133                         Boston, MA 02133

RE: Support for S.864 – An Act promoting access to counsel and housing stability in Massachusetts (Sen. DiDomenico)

Dear Chair Arciero, Chair Edwards 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 S.864 because this bill will help reduce the physical and emotional harms done to our neighbors experiencing housing instability.

Long before the COV19 pandemic, we knew that safe, stable housing was 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—that those who are stably housed.² Even those who are threatened with eviction are more likely to experience high blood pressure, depression, anxiety, and psychological distress.³ Children who live in unstable housing are also more likely to miss school and suffer emotionally. Families and people of color are disproportionately affected by unstable housing situations, exacerbating existing health inequities.⁴

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¹ “Housing And Health: An Overview Of The Literature,” Health Affairs Health Policy Brief, June 7, 2018. DOI: 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


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.

An Act promoting access to counsel and housing stability in Massachusetts, S.864, introduced by Senator DiDomenico, 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 people and families that have unstable housing are poor, women and female led households, and people of color. In contrast, the vast majority landlords (upwards of 90%) have a lawyer in eviction cases. 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. 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.

We respectfully ask you to support and favorably report from this Committee S.864, An Act promoting access to counsel and housing stability in Massachusetts. If you have questions or would like to discuss our request, please contact me (jcollins@publichealthwm.org, 413-794-7739) or our Policy Director Andrea Freeman (afreeman@publichealthwm.org, 978-895-0960).

Thank you for your consideration.

Sincerely,

Jessica Collins
Executive Director

Cc: Members, Joint Committee on Housing and the Western MA delegation

ADDITIONAL REFERENCES

Himmelstein, Gracie and Desmond, Matthew, “Eviction and Health: A Vicious Cycle Exacerbated by A Pandemic,” Health Affairs, April 1, 2021.


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5 Massachusetts Trial Court Department of Research & Planning, May 9, 2023.

6 Ibid.