

Oral Testimony in Support of S.968 An Act promoting access to counsel and housing stability in Massachusetts

Chair Cyr, Chair Haggerty, and distinguished members of the Committee, I'm grateful to be here today testify in strong support of S.968: An Act promoting access to counsel and housing stability in Massachusetts, and I want to thank Senator DiDomenico for his leadership in filing this bill.

My name is Carley Ruemmele, and I am a Research and Policy Analyst at Children's HealthWatch. Children's HealthWatch is a network of pediatricians and child health researchers, headquartered at Boston Medical Center. For 27 years, we have interviewed more than 80,000 parents with young children to understand the ways in which economic hardship impacts health outcomes.

Our research demonstrates that eviction poses a profound threat to child and family health. Compared to families without a history of eviction, families who experience an eviction are significantly more likely to be in fair or poor health. Their children are more likely to be admitted to the emergency room and at risk of developmental delays. In addition, these families are more than 5 times as likely to experience homelessness during their child's lifetime, and 3-4 times more likely to face other forms of housing instability, such as falling behind on rent or forced into multiple moves. These families also face higher rates of economic hardship, including difficulty affording nutritious food, healthcare, childcare, and utilities. Our data mirrors national trends: evictions fall disproportionately on Black and Latine households, reflecting decades of harmful and exclusionary policy choices that have restricted access to safe housing and have fueled community disinvestment.

In 2023, there were 35,000 eviction filings in Massachusetts, with about three out of four filings due to nonpayment of rent. Over 12,000 of these cases resulted in actual eviction.

Unlike in criminal court, tenants are not guaranteed legal representation in housing court. As most eviction cases are due to non-payment of rent, tenants, who can't afford rent and likely can't afford a lawyer must face the housing court system on their own, while others might not even be able to attend their court hearing due to childcare, employment, or transportation barriers.

Estimates suggest 90% of landlords have legal representation in housing court, yet only 6-7% of tenants do. This means that of the 12,000 Massachusetts residents who were evicted in 2023—less than 850 of them had legal representation. This stark inequity prompts the question: how many of these evictions could have been avoided if families had access to counsel? How many of those families would still be in their homes today?

S. 968 establishes a statewide "Access to Counsel" program, which would provide free legal assistance and full legal representation to individuals in eviction proceedings. This program would help guide tenants through housing court, prevent tenants from entering bad agreements or giving up their rights, and ultimately, lead to fewer families becoming evicted from their homes.

We are living in a moment of high costs of living, stagnated wages, and housing costs that are out of reach for many families across our state. Providing legal representation for those facing eviction is one small but necessary step we can take to protect children and families from its harmful effects, and in turn, work to create more stable, safe communities. Thank you.