

January 19, 2026

Joint Committee on the Judiciary

The Honorable Lydia Edwards, Chair
State House, Room 413-A
Boston, MA 02133

The Honorable Michael Day, Chair
State House, Room 136
Boston, MA 02133

RE: Testimony in support of An Act promoting access to counsel and housing stability in Massachusetts (H.1952)

Chair Edwards, Chair Day, and distinguished members of the Joint Committee on the Judiciary:

Thank you for the opportunity to submit testimony on behalf of Children's HealthWatch in strong support of H.1952, An Act promoting access to counsel and housing stability in Massachusetts, filed by Representative Rogers and Representative Day. This bill was heard before the Committee on October 21, 2025.

Children's HealthWatch seeks to achieve health equity for young children and their families by advancing research to transform policy. We accomplish this mission by interviewing caregivers of young children on the frontlines of pediatric care in urban emergency departments and primary care clinics in four cities: Boston, Minneapolis, Little Rock, and Philadelphia. Headquartered at Boston Medical Center, since 1998, we have interviewed over 80,000 caregivers and analyzed data from those interviews to determine the impact of public policies on the health and development of young children and their families' well-being.

H.1952, An Act promoting access to counsel and housing stability in Massachusetts

Unlike in criminal court, tenants are not guaranteed legal representation in housing court. As most cases of eviction are due to non-payment of rent, tenants, who cannot afford rent and likely cannot 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 child care, employment, or transportation barriers.

Estimates suggest 90% of landlords have legal representation in housing court, yet only 6-7% of tenants do.¹ This means that of the 12,000 Massachusetts residents who were evicted in 2023, less than 850 of them had legal representation.² 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?

In 2024, the Massachusetts Legislature passed a pilot Access to Counsel program, which provided free legal assistance and legal representation to individuals in eviction proceedings.¹ H.1952 would establish a statewide program, which would expand upon the pilot to ensure more Massachusetts residents facing eviction receive counsel through housing court. 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.

Health Impacts of Eviction

Across Massachusetts, the combination of increasing housing costs, inadequate supply of affordable housing, and stagnant wages means many families are often unable to afford a stable, safe, and healthy home. This reality is felt most deeply in households with the fewest resources, as housing costs routinely consume an outsized portion of household income among families with low incomes. In Massachusetts, 31% of renter households are extremely low income, and 63% of families with very low incomes are housing cost burdened, meaning they spend more than 30% of their income on housing.³ As a result, families can too easily fall behind on rent, be evicted, and become homeless, rates of which have increased significantly over the last several years, especially among youth and people of color.⁴

Nearly 7.6 million households in the United States are threatened with eviction each year.⁵ Data shows that families with children are twice as likely to be evicted compared to those without children, and that the most common age to experience eviction in the U.S. is in childhood.⁵ Alarming racial disparities exist; approximately one in five Black families living in a renter household is threatened with eviction annually, and one in ten is evicted.^{3,4} Furthermore, more than half of eviction filings and 43% of those evicted are Black.⁵ In Massachusetts, there were 35,000 eviction filings in 2023, with about three out of four filings due to nonpayment of rent.² Over 12,000 of these cases resulted in actual eviction.²

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.⁶ 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.**⁶ These families also face higher rates of economic hardship, including difficulty affording nutritious food, health care, child care, 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 opportunities for economic stability and safe housing, and have fueled community disinvestment.

Policy Drivers of Eviction in the United States

Inequitable experiences of eviction are the result of policies that create impossibly high costs of living, and make it exceedingly difficult to find a safe, stable, place to live. Throughout US history, government policies have intentionally disadvantaged communities of color, including more than a century of disinvestment and practices such as “redlining”. The practice of redlining began in 1933, when the federal government sanctioned mortgage lending maps that labeled neighborhoods with large communities of color as “undesirable” places to live and “hazardous investment areas”. For decades, this standard, legalized discrimination denied families of color access to homeownership – the primary driver of intergenerational wealth in the U.S.^{7,8} Redlining not only made mortgages and homeownership less accessible for people of color and specifically Black Americans, but also impacted neighborhood infrastructure.^{9–11} Although redlining was outlawed in the Fair Housing Act of 1968, its consequences

persist. Historically redlined neighborhoods continue to face chronic disinvestment, discriminatory zoning, and limited access to homeownership, capital, and political power.^{8,12,13}

Today, 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. Since the 1970s, incomes have flattened for all but people at the top of the income distribution, and the federal minimum wage has not increased in more than 15 years.^{14,15} In Massachusetts, one person would have to work 101 hours a week in a \$15/hour minimum wage job to afford a 1-bedroom market rate apartment.¹⁶ This reality means families with low incomes are often forced to make impossible choices about which essential needs to cut in order to pay for other pressing needs, like food or prescription medication costs.^{17–19} When families have to make these trade-offs, many find themselves experiencing housing instability, including an estimated 1 in 6 children nationwide.²⁰

To wholly improve the overall health of our communities, we need to advance policies that address the root causes of economic instability and inequality, while investing in solutions that promote increased access to safe, affordable housing. 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.

Sincerely,

Children's HealthWatch

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