



Legislation Summary:

An Act promoting housing stability and homelessness prevention in Massachusetts

Initial bill number(s): [H1731/S864](#) (Bill numbers will change as legislation proceeds.)

Sponsors: Sen. Sal N. DiDomenico; Reps. David M. Rogers and Michael S. Day

These bills provide for legal representation in eviction proceedings for low-income tenants and low-income owner-occupants of 1- to 3-family homes when the home is their only home.

In Massachusetts eviction cases, 81% of landlords are represented by attorneys, versus just 8.5% of tenants and this disparity has been growing over the last 10 years. So 9 out of 10 tenants face the complicated and fast-moving eviction process alone. Many must go up against savvy landlords' attorneys, which results in swift eviction.

Evictions disproportionately impact communities of color. Black tenants are twice as likely as white tenants to face eviction, despite making up only 11% of Massachusetts' population and Black women are 2.5 times more likely than white women to face eviction. COVID-19 has only exacerbated these disparities.

Access to Counsel in evictions will give these community members the legal assistance they need to have a fair chance in asserting their rights in court and staying in their homes and stabilize housing and communities in the long term.

Adds new sections to [GL Chapter 239](#) (Summary process in eviction cases); establishes statewide Right to Counsel Program for eligible persons in eviction cases to be administered by the Massachusetts Legal Assistance Corporation (MLAC); requires MLAC to issue a request for proposal for qualified organizations to submit proposals to become designated organizations; sets qualifications for designated organizations; requires MLAC to appoint an advisory committee; requires the development of a form to notify individuals of their potential eligibility for a right to legal counsel in covered proceedings.

League position

From Meeting Basic Human Needs (from [LWVUS Impact on Issues](#)) p. 136

“The League of Women Voters of the United States believes that one of the goals of social policy in the United States should be to promote self-sufficiency for individuals and families and that the most effective social programs are those designed to prevent or reduce poverty.”
From Criteria for Housing Supply p. 141

From Equality of Opportunity, Fair Housing Criteria (from [LWVUS Impact on Issues](#)) p. 124
“Mediation and legal redress should be readily available. The process should ensure every possible protection for both complainant and persons or institutions against whom complaints are lodged. Avenues for mediation and legal redress should be widely publicized and should be easily accessible.”