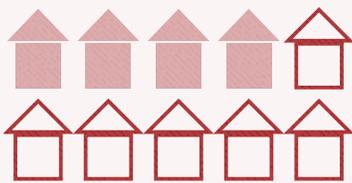


Housing, Foreclosure, and Civil Legal Aid



Massachusetts ranks 44th out of 50 states in housing affordability, with skyrocketing housing costs placing the heaviest burden on families living in poverty. Without stable and affordable housing, low-income families face devastating consequences that range from disrupted employment and education to poor health outcomes. Civil legal aid plays a crucial role in helping families in crisis access and retain safe, stable housing they can afford.



64%

TURNED AWAY

Legal aid programs in Massachusetts are forced to turn away 64% of eligible residents who seek assistance with housing matters.

Types of Housing Cases

In FY16, legal aid programs funded by the Massachusetts Legal Assistance Corporation closed 7,935 housing cases.

Private Landlord/Tenant: 3,683 cases

Federally Subsidized Housing: 1,934

Public Housing: 854

Mortgage Foreclosures/Predatory Lending Practices: 298

Homeownership/Real Property: 253

Housing Discrimination: 5

Mobile Homes: 13

Unsafe Living Conditions, Tenant Disputes, and other cases: 895

Preventing Instability & Homelessness

Working with community partners, legal aid helps low-income people—particularly vulnerable groups like domestic violence survivors, people living with disabilities, elders, and individuals with limited English proficiency—overcome serious housing problems. These services include:

- Helping place vulnerable families in emergency shelter and helping them obtain safe, permanent, and affordable housing
- Defending clients from unlawful eviction or working with community partners to ensure smooth transitions into alternate housing
- Enforcing health and safety standards in housing and holding landlords accountable for violations
- Protecting tenants in danger of losing housing subsidies

Impact Advocacy

Civil legal aid works to expand access to affordable housing and emergency shelter through high-impact advocacy, including:

- Filing class-action lawsuits to combat discriminatory practices
- Advocating for administrative reform in government housing agencies to remove obstacles for low-income people
- Championing legislation that increases affordable housing opportunities and access to shelter

Attorney General's HomeCorps Program

From 2012 to 2016, legal aid programs worked with the Attorney General's Office through the HomeCorps program to confront the foreclosure crisis by providing assistance—ranging from counsel and advice to full representation—to Massachusetts residents affected by foreclosure. Examples included:

- Homeowners threatened with foreclosure receiving help with loan modifications and forbearance agreements and defense against improper foreclosure
- Former homeowners receiving post-foreclosure assistance such as eviction defense and help obtaining foreclosure reversals, relocation compensation, and debt relief
- Non-owner tenants in foreclosed properties receiving defense against improper eviction and help obtaining repair orders and abatement of back rent

The HomeCorps program ended in December 2016. However, the vital work continues at legal aid organizations across the state, using funding from other sources, including MLAC. The HomeCorps program developed a cadre of committed and well-trained attorneys whose expertise will continue to benefit low-income homeowners in the Commonwealth for years to come.

Program Highlights

- 1,857** cases closed
- 389** evictions delayed or prevented
- 200** foreclosures prevented or delayed
- 40** foreclosures reversed
- 22** former owners able to repurchase home

\$9,057,661 in compensation and debt forgiveness for clients.

\$28.1 million conservative estimate of total benefits to homeowners, former homeowners, and tenants.

HomeCorps also benefitted the state's economy by stopping the decline in property values associated with foreclosed properties.

Administrative Error Leads to Foreclosure for Elderly Resident

Ellen, an elderly Everett resident, spent many years working in the laundry of a Boston hotel, retiring only when the laundry closed and a disability prevented her from finding other work. When her daughter died in 2010, Ellen was left to raise her two granddaughters. Despite her grief, Ellen was grateful that she and her granddaughters had a safe place to live: the house she had purchased in 1996 and had lived in for almost 20 years.

In 2012, Ellen took out a reverse mortgage on the house. But in 2015, an administrative error in the processing of her reverse mortgage that had gone unnoticed for several years led to her home being foreclosed on, and an auction was scheduled. Ellen didn't know her house was up for auction until she heard about it from a neighbor, who had seen the notice in the newspaper. A real estate developer bought the home and began the process of evicting Ellen and her granddaughters. Ellen knew there had been a mistake; she knew she had done everything right and never missed any payments.

At her sister's suggestion, Ellen contacted Greater Boston Legal Services. GBLS investigated and, after discovering the error that led to the foreclosure, was able to stop the eviction proceedings. They negotiated with the reverse mortgage company and the developer to undo the foreclosure and the sale of Ellen's home. Ellen and her granddaughters remain in the home, and Ellen is grateful for the support she received from legal aid. When asked why she was willing to share her story, she said, "Legal aid kept us safe. I want to make sure that everyone who needs help like I did can get it."