

Housing, Foreclosure, and Civil Legal Aid

Massachusetts
Legal
Assistance
Corporation

Massachusetts ranks 44th out of 50 states in housing affordability. Families living in poverty bear a disproportionate burden of these high housing costs, which can negatively impact other areas of life. For example, the need to move frequently in search of affordable housing can disrupt children's learning and interfere with a parent's ability to maintain employment. Further complications, including homelessness, can lead to poor health. Civil legal aid plays a crucial role in helping families in crisis access and retain safe, stable housing they can afford.



Types of Housing Cases

In FY17, legal aid programs funded by the Massachusetts Legal Assistance Corporation closed 8,262 housing cases.

Private Landlord/Tenant: 3,758

Federally Subsidized Housing: 1,797

Public Housing: 1,104

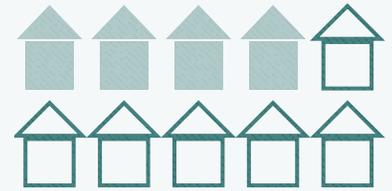
Mortgage Foreclosures/Predatory Lending Practices: 385

Homeownership/Real Property: 56

Housing Discrimination: 305

Mobile Homes: 10

Unsafe Living Conditions, Tenant Disputes, and other cases: 847



64%
TURNED AWAY

Due to lack of funding, legal aid programs in Massachusetts turn away 64% of eligible residents who seek assistance with housing matters.

"If I didn't find legal aid, I would have lost the house."

- Mike Gabriel
Onset resident and client of South Coastal Counties Legal Services

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 significant barriers to finding safe and affordable housing. 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 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

Legal Aid Protects Housing for A Vulnerable Veteran

Kevin, a veteran with a service-related traumatic brain injury, contacted Community Legal Aid late on a Tuesday, after being served with a sheriff's notice that he would be physically moved out of his apartment on Thursday morning. Kevin was facing eviction because his disabilities made it hard for him to appropriately manage his money and had caused him to fall behind on his rent. If Kevin were to be moved out due to a non-payment of rent case, he faced losing his rent subsidy voucher. A CLA attorney went with Kevin on Wednesday morning to an emergency hearing in Housing Court to stop the eviction. At the hearing, the CLA attorney presented a plan to pay the overdue rent and to work with Kevin's social service providers to help ensure that rent payments are made on time going forward. The court canceled the Thursday move-out and scheduled a status conference to confirm that appropriate services are in place. The court indicated that if the rental arrearages are paid and services in place to ensure proper rent payments going forward, Kevin's housing could be preserved. Currently, the back rent has been paid (with some help from Veterans Inc.) and CLA is working with Kevin's social service providers to finalize a plan to ensure that he receives appropriate services.

Attorney General's HomeCorps Program

From 2012 to 2016, legal aid programs received specific funding from and 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

HomeCorps program funding 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.