

Western Massachusetts Network to End Homelessness
Legislative and Budget Briefing

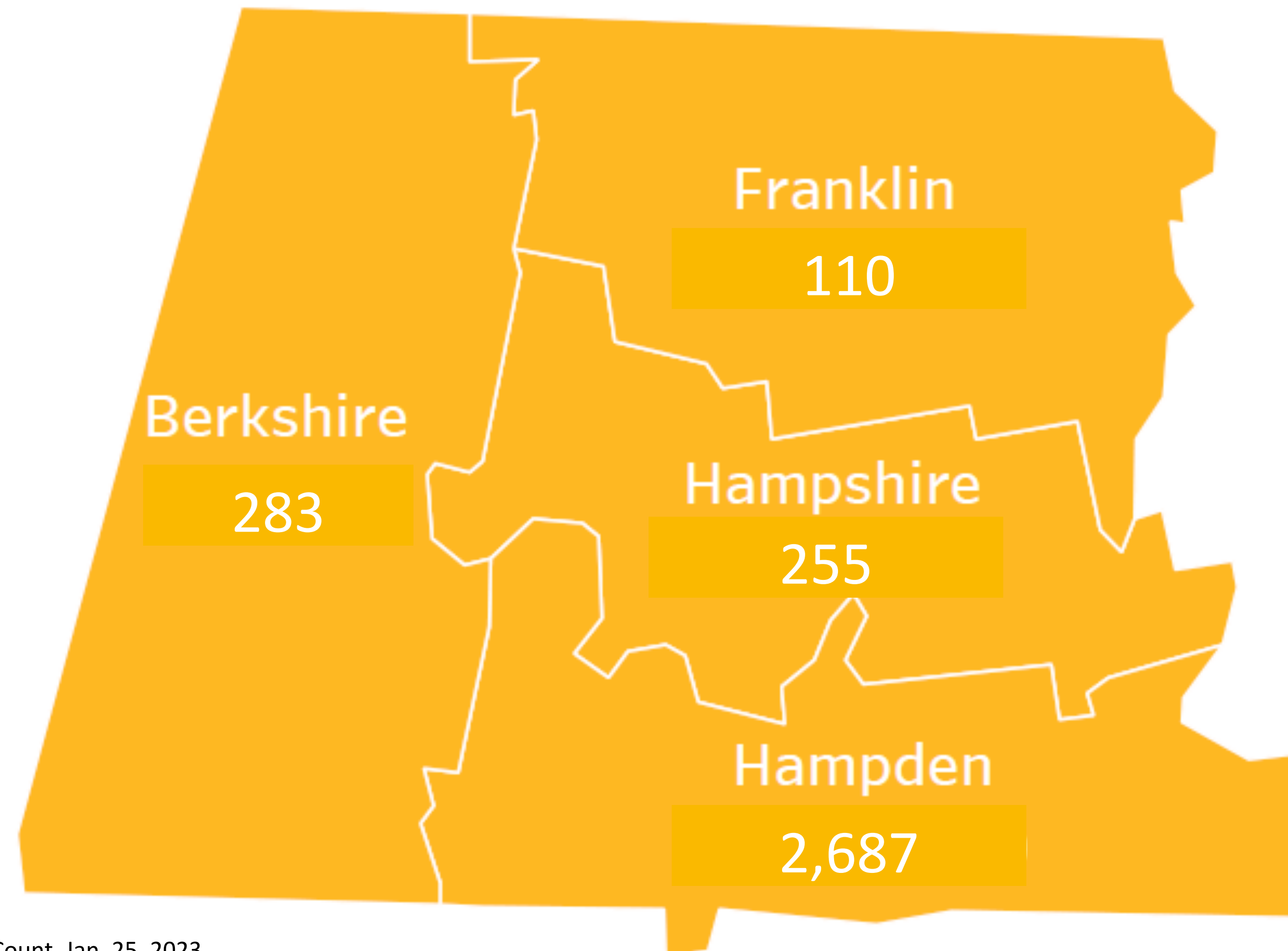
February 27, 2023

AGENDA

- Welcome
- Homelessness in Berkshire County
- Legislative Priorities Overview
- Budget Priorities Overview
- Discussion
- Next Steps and Closing

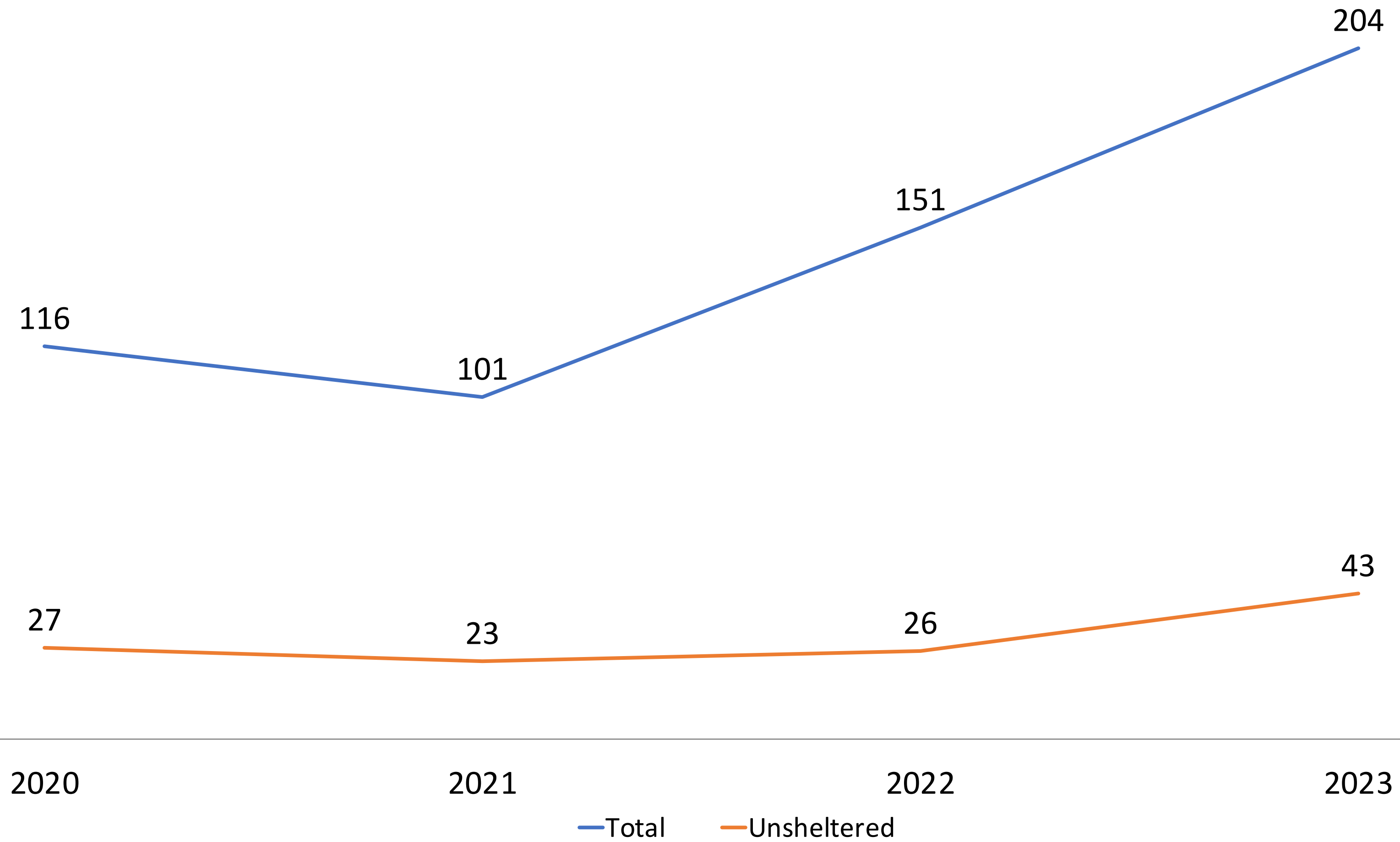
2023 Point-in-Time Count

3,335 people homeless on Jan. 25, 2023

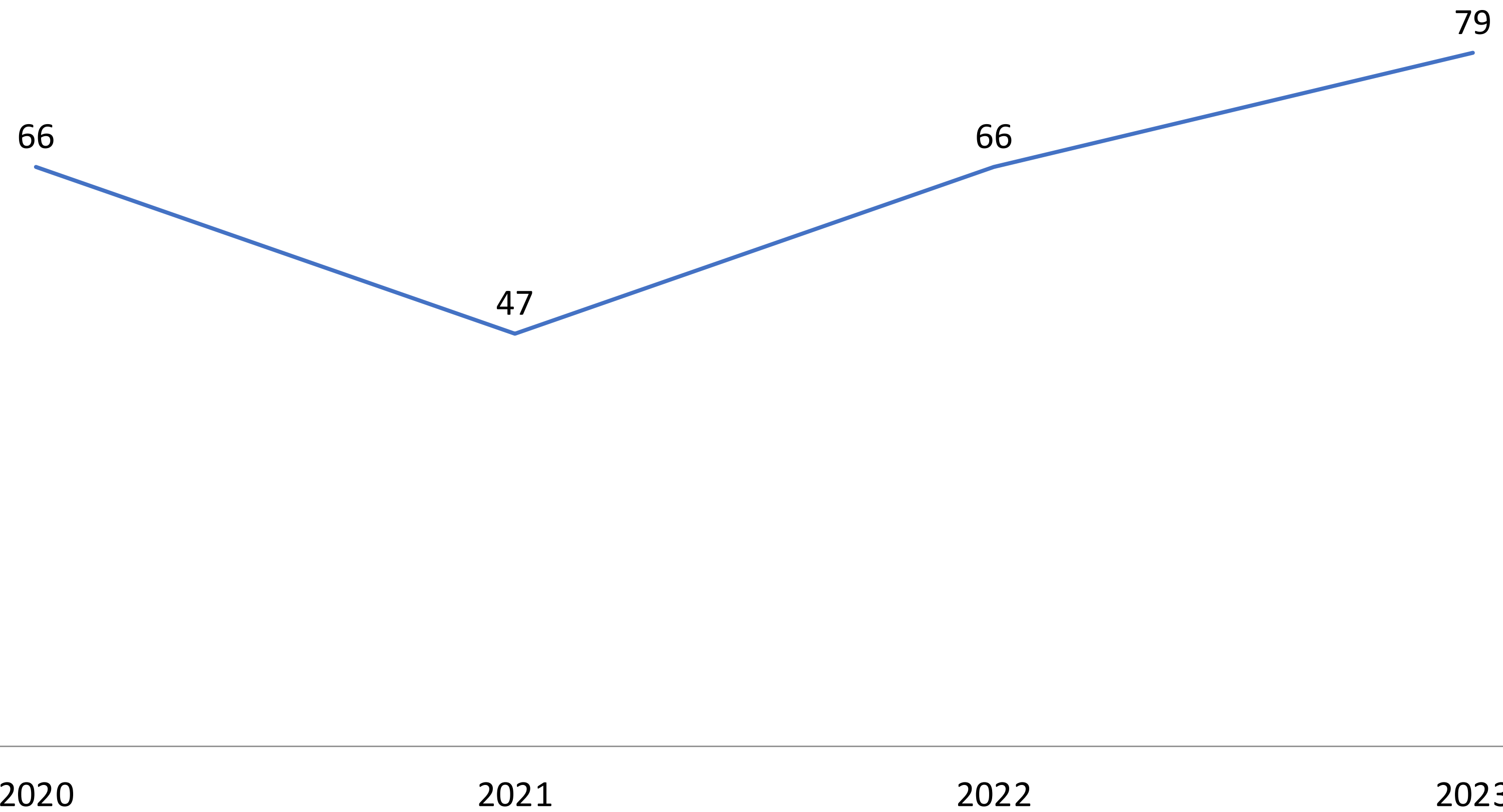


Source: Continuum of Care Point-in-Time Count, Jan. 25, 2023

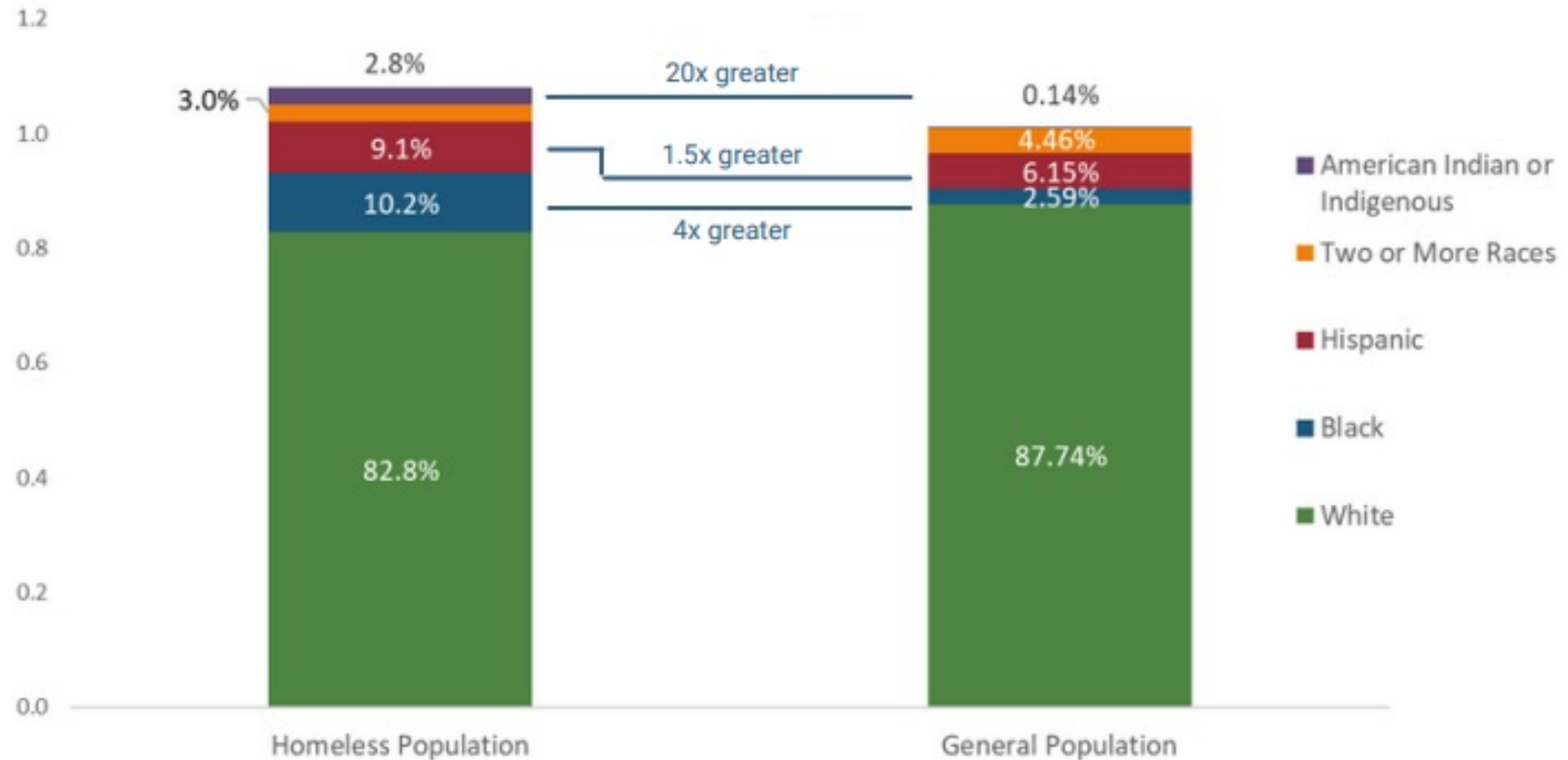
Homeless Individuals, Berkshire County Trend 2020–2023



Homeless Families, Berkshire County Trend 2020–2023



Hampshire, Franklin and Berkshire County Racial Disparities 2022 PIT Count



*General population data from 2020 ACS 5 Year Estimates

LEGISLATIVE PRIORITIES 2023–2024

**Thank you for your leadership, your co-
sponsorship and for considering your active
support of the following bills:**

Access to Counsel

HD.3657/SD.1082

Lead sponsors: Reps. Dave Rogers & Michael Day; Sen. Sal DiDomenico

The Problem:

- 9 out of 10 tenants are unrepresented.
- 1 in 4 children living in poverty experience eviction by age 15.
- Tenants lose to landlords in eviction cases 98% of the time when judgment is rendered. Tenants default in 25% of eviction cases.
- Over the past three months evictions have started to climb to above pre-pandemic levels.

The Solution:

- Provide legal representation for low-income tenants and low-income owner-occupants in eviction proceedings.
- Nationwide, 3 states and 15 cities have enacted access to counsel programs. Data shows housing stability increased.

HOMES Act — Eviction Record Sealing

HD.3625/SD.1592

Lead sponsors: Rep. Mike Moran; Sen. Lydia Edwards

The Problem:

- As soon as an eviction case is filed, a tenant has an eviction record that is publicly available.
- An eviction record frequently is the reason a tenant is rejected from housing, no matter whether the tenant did anything wrong, paid off the rent or won the case.
- Currently, there is no process for a tenant to seal an eviction record.

The Solution:

- HOMES provides tenants with a process to petition the court to seal the record under certain limited circumstances.
- This bill is an important start to protecting tenants from undue harm, while important amendments are necessary to accomplish its intended goals.
- Nationwide, 11 states and 3 cities have adopted meaningful eviction sealing protections.

Affordable Housing Local Option Transfer Fee

HD.2857/SD.1982

Lead sponsors: Rep. Mike Connolly; Sen. Jo Comerford

The Problem:

- Western Massachusetts had an affordable housing gap of roughly 11,000 units in 2020 which is projected to increase to 19,000 by 2025.

The Solution:

- Allows cities and towns the choice to adopt a **transfer fee between .5% and 2% on real estate transactions above \$1,000,000** or the county median sale price for a single family home (if median sales price is below \$750,000). All funds raised would be dedicated to affordable housing production and preservation.
- Mandates certain exemptions, including on properties sold for less than \$1,000,000 or county median sale price, and allows cities and towns to tailor additional exemptions to meet the unique needs of their community.
- Includes option for regional affordable housing trusts so small communities can pool funds to create affordable housing in one or more towns.

Guarantee Tenant's First Right of Refusal (TOPA)

HD 3645/SD 2238

Lead sponsors: Reps. Jay Livingston & Rob Consalvo; Sens. Pat Jehlen & Adam Gomez

The Problem:

- Speculative real estate purchases by large investment companies has resulted in tenant displacement, which continues to worsen while the affordable housing gap grows.

The Solution:

- TOPA would allow cities and towns to provide tenants in multi-family buildings the right to match a third-party offer when their homes are being sold. Tenants can designate their rights to a non-profit or local housing authority or partner with an affordable housing purchaser.
- TOPA explicitly excludes small landlords and exempts below-market sales to immediate family members. It imposes no price restrictions; sales are at a market-rate.
- TOPA could move thousands of rental units to permanent affordability every year.

Local Option to Stabilize Rents and Protect Tenants

HD. 3953/SD.1818

Lead sponsors: Reps. Dave Rogers & Sam Montañó; Sens. Pat Jehlen & Adam Gomez

The Problem:

- Massachusetts is now the fifth most expensive state to rent a home. In Western Massachusetts, rents are rapidly rising while eviction filings have reached pre-pandemic levels and no-fault evictions have more than doubled.

The Solution:

- Provide cities and towns the option to adopt a limit on rent increases to the rate of inflation with a cap of 5%.
- Provide cities and towns the option to ban no fault evictions and clarify for tenants and landlords what qualifies as a legal reason to evict.
- Exempt owner-occupied buildings with 4 or fewer units; and exempt new construction for 5 years.

Establish a Foreclosure Prevention Program

HD.1551/SD.923

Lead sponsors: Rep. Christine Barber; Sen. Adam Gomez

The Problem:

- **From the first half of 2021 to the first half of 2022, foreclosures in Massachusetts increased by more than 80%.** Thousands more homeowners are in default as a result of the pandemic and are facing the threat of foreclosure.

The Solution:

- Require mortgage servicers to engage in foreclosure prevention conferences at which servicers and homeowners make good faith efforts to achieve reasonable foreclosure alternatives.
- Engage in supervised conferences is the best way to coordinate all foreclosure alternatives, particularly the newer programs developed in response to the pandemic.

Massachusetts Flexible Supportive Housing Subsidy Pool Program

HD.216/SD.674

Lead sponsors: Rep. Joan Meschino; Sen. Brendan Crighton

The Problem:

- 135 chronically homeless were identified in the 2022 Three County Point in Time count.
- An estimated additional 90 new units of Permanent Supportive Housing are planned across the 3 county region over the next year. A substantial gap remains.

The Solution:

- Supportive housing is a highly effective, cost-efficient solution that allows our most vulnerable residents to stay stably housed and connected to supportive services.
- This program would streamline services and vouchers to people experiencing homelessness to make housing placement faster, stabilization services more robust and leverage public and private funding sources in the process.

Additional Priorities

- **An Act improving emergency housing assistance for children and families experiencing homelessness** (HD1962/SD185) Sponsors: Rep. Marjorie Decker; Sen. Adam Gomez
- **An Act establishing the healthy homes program** (HD.3864/SD.728)
Sponsors: Reps. Manny Cruz & Shirley Arriaga; Sen. John Keenan
- **An Act establishing a bill of rights for individuals experiencing homelessness** (HD.107)
Sponsors: Reps. Smitty Pignatelli & Frank Moran
- **An Act to increase regional transit accessibility (RTA) in the Commonwealth** (HD.2385/SD.1762)
Sponsors: Rep. Natalie Blais; Sen. Susan Moran
- **An Act codifying the Massachusetts Rental Voucher Program** (HD.3349 & SD.682)
Sponsors: Rep. Adrian Madaro; Sen. Joan Lovely
- **An Act to provide identification to youth and adults experiencing homelessness** (HD.3043/SD.1243) Sponsors: Rep. Jim O'Day; Sen. Robyn Kennedy
- **An Act to improve the housing development incentive program (HDIP)** (SD. 1562)
Sponsor: Sen. Jamie Eldridge
- **An Act protecting equity for homeowners facing foreclosure** (HD.81/SD.291)
Sponsors: Reps. Jeffrey Roy & Tommy Vitolo; Sen. Jo Comerford
- **An Act allowing movable tiny houses as permanent residential dwellings and accessory dwelling units** (HD.3487SD.1981) *Sponsors: Rep. Lenny Mirra; Sen. Jake Oliveira*

Housing/Homelessness Caucuses

Housing for All Caucus

Chairs: Senator Lydia Edwards and Representative Mike Connolly

Purpose: To build consensus for policies addressing all aspects of the housing crisis, including: advancing the vision of Housing as a Human Right, working to end housing discrimination in all its forms, building support for local affordable housing policies and programs, and working with DHCD Secretary and the future Secretary of Housing to improve systems currently in place.

Caucus to End and Prevent Homelessness

Chairs: Senator Paul Feeney, Representative Jim Hawkins and Representative Joan Meschino

Purpose: To equip legislators with the trends, insights, resources, and data to inform policy to ensure that homelessness in Massachusetts will be rare, brief, and non-recurring experience for every individual, youth, young adult, and family in Massachusetts.

FY24 Budget Priorities

- **Individual Homeless Services - \$120 million** (\$10m increase)
- **Mass. Rental Voucher Program (MRVP) - \$250 million** (\$50m increase) for the state's affordable housing program that currently is serving 10,000 households out of 240,000 eligible households
- **RAFT - \$250 million** (level-funding) – emphasis on upstream prevention
- **Public Housing - \$184 million** (doubled, up from \$92m)
- **Housing Consumer Education Centers (HCEC) - \$10.2 million** (almost \$2m increase)
- **Home and Healthy for Good (Permanent Supportive Housing) - \$8.39 million** (\$2m increase)
- **Access to Counsel - \$7 million** for first year phase-in
- **Older Adult Housing Stability - \$10 million** for bridge subsidies for up to 1,000 older adults
- **Unaccompanied Homeless Youth - \$12 million** (\$2m increase)
- **Annualize Workforce Funding for individual shelters - \$10 million** with explicit language so all shelter and housing employees are eligible to do the work under this line-item
- **Tenancy Preservation Project (TPP) - \$1.8 million** (level-funded)
- **Western MA Network to End Homelessness earmark - \$100,000**