



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

Deval L. Patrick, Governor ◆ Timothy P. Murray, Lt. Governor ◆ Aaron Gornstein, Undersecretary

Fact Sheet on the FY13 Reforms to Address Family Homelessness – July 19, 2012

- The Legislature and the Patrick-Murray Administration have established four new categories of eligibility that maintain a significant safety net for those families in emergency situations. Emergency shelter will be available to families who meet the Emergency Assistance income limits, are Massachusetts residents and who meet one of the following eligibility criteria:
 - Victims of fire, flood and natural disaster;
 - Fleeing domestic violence;
 - Facing eviction through no fault of their own; or
 - Currently in a housing situation that exposes children to substantial health and safety risks (determined by the Department of Children and Families).
- Families, who are determined eligible with the above criteria, will also be eligible for HomeBASE household assistance (up to \$4,000) as an alternative to shelter or as a means to exit shelter.
- Families who are not eligible for emergency assistance may be eligible for alternative prevention/rehousing programs that received significant budget increases in FY13:
 - The Residential Assistance for Families in Transition (RAFT) program budget was increased from \$276,000 to \$8,760,000 to bolster homelessness prevention efforts for those extremely low-income families who are at risk of becoming homeless.
 - The Massachusetts Rental Voucher Program (MRVP) budget was increased by \$6 million and will provide rental assistance to over 500 families in FY13.
 - DHCD is implementing a new supportive housing program using MRVP project-based vouchers to assist approximately 100 families with significant barriers to stable housing.

These reforms and investments in the range of services available will better serve families, providing new resources for them to get back on their feet and on their way to self-sufficiency while maintaining a key safety net for emergencies.

Changes in eligibility for Emergency Assistance have led to the circulation of misinformation by a few organizations. It is important that these claims be corrected.

DHCD's proposed regulations and guidance with respect to the new EA eligibility reforms provide for a fair and straightforward implementation of the reforms contained in the FY13 budget. A letter from the Massachusetts Law Reform Institute (dated July 18, 2012) to legislators contains numerous inaccuracies and misrepresentations. The facts are as follows:

- Bus stations and hospital emergency rooms are considered “not meant for human habitation” under the proposed health and safety regulations assessment program. A family in those situations would be eligible because the family does not have access to adequate supplies of hot and cold water for daily needs, does not control lighting for evening use and sleeping purposes, and has no ability to control availability of electricity for necessary personal use.
- The very serious and disturbing scenarios involving rape or assault of a child or tenant would be immediately treated as a law enforcement matter. Children who are at risk of sexual assault or exposure to it, because of the housing they are in, would receive presumptive placement in a shelter.
- In situations where plumbing issues go unaddressed by landlords, tenants have “self-help” options and can withhold rent and use the funds to fix problem. Tenants are also EA eligible if the unit is condemned due to the landlord's inaction.
- Every tenant in MA is subject to being evicted because the landlord wants to sell the building. It does not demonstrate an inability to secure or maintain housing. Such families can get a six-month stay of eviction from court and are eligible for RAFT assistance if unable to find a new apartment in that time.
- There are two new verification requirements, and neither is unrealistic nor onerous.
 - The DCF Health and Safety assessment is a simple verification of the facts of the “health and safety risk” to the applicant family by a trained employee of the Department of Children and Families.
 - Verification of Massachusetts residency may be accomplished by presenting one of the 46 enumerated documents or any other document “of equivalent reliability and authenticity”.
- If a family is unable to secure housing independently or with family or friends it is likely they will qualify for EA shelter as they would be in a situation unfit for human habitation.

Finally, many of the scenarios presented by these advocacy groups are unlikely theoretical situations that have rarely, if ever, been presented by an EA applicant. However, one of DHCD's proposed regulatory amendments is a waiver provision for the rare situation that is essentially the same in nature to one of the legislatively approved categories of eligibility, but fails to meet some aspect of the regulatory definition in its entirety.