



The Commonwealth of Massachusetts
MASSACHUSETTS SENATE

SENATOR JOANNE M. COMERFORD
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July 16, 2019

Senator James B. Eldridge, Senate Chair
Joint Committee on the Judiciary
State House, Room 320

Representative Claire D. Cronin, House Chair
Joint Committee on the Judiciary
State House, Room 136

Re: Support for S.913/H.3456 - Ensure right to counsel in eviction proceedings, and S.824/H.3566 - Promoting housing opportunity and mobility through eviction sealing

Dear Chair Eldridge and Chair Cronin,

I am pleased to offer this testimony in support of two crucial bills for preventing homelessness.

The first is S.824/H.3566 - *An Act Promoting housing opportunity and mobility through eviction sealing*. This bill would seal eviction records, and these records would remain sealed, if the eviction case is not the fault of the tenant, is dismissed or is resolved with a tenant satisfying an agreement. This bill would also provide that all records will be sealed after 3 years so that tenants do not have an eviction record for life.

With an eviction on one's record, searching for places to live can become very difficult causing longer stays in homeless shelters, job instability, and can create trauma for children and adults. This bill would allow tenants the opportunity to move on with their lives and find new housing after an eviction. Additionally, for children who are named in an eviction proceeding, this bill would allow them not to carry these records into adulthood when they go to look for housing or obtain credit.

I am also in strong support of Right to Counsel bills and I respectfully urge the Committee to bring together the best thinking in S.913/H.3456 - *An Act to ensure right to counsel in eviction proceedings* and H. 1537 - *An Act establishing a right to counsel in certain eviction cases*.

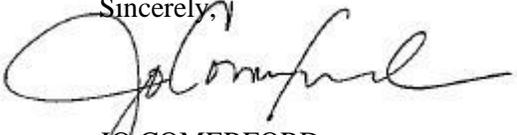
There currently exists a power imbalance between tenants and landlords during eviction proceedings. Data from 2018 shows that only 7.6% of tenants had lawyers in eviction cases whereas 70% of landlords had lawyers. Because eviction cases can occur so quickly, so many tenants do not know their own rights nor how to protect themselves throughout the process and in court. By creating legal assistance in these cases we can lower the rate of evictions in Massachusetts and by doing so lower increasing rates of homelessness.

In 2018, there were 40,000 eviction cases filed in court statewide- 5,738 in Western Massachusetts alone. From one single eviction, people and families in Massachusetts can be thrown into a spiral of depression, illnesses, job loss, uprooting families and children from schools and their communities and sending our

people into shelters. We know that the best way to reduce homelessness is by preventing people from becoming homeless in the first place - this bill would do just that.

I'm emboldened in this effort by the Northampton City Council which passed a powerful resolution calling for both of these pieces of legislation, as well as the Western Massachusetts Network to End Homelessness, a broad coalition urging passage of these bills in order to prevent and end homelessness both in my district and across the Commonwealth. Such a mandate urges me forward to ask for your expediency. For these reasons, I respectfully request that the Committee favorably report out S.824/H.3566 and S.913/H.3456 at its earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Jo Comerford". The signature is fluid and cursive, with a large initial "J" and "C".

JO COMERFORD

State Senator

Hampshire, Franklin, Worcester district