

HOUSING MATTERS

## Baker's Shift on Eviction Plan Designed to Keep Tenants Out of Harm's Way

More Money Will Buy Limited Time for Families at Risk

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**W**e are eight months into the COVID pandemic. Consider the hard-working restaurant and childcare workers, in better times working two jobs to make ends meet, who now find themselves with few prospects,

depleted savings and worried about paying for food and rent.

Things seemed okay for a while. But the resources and relief now are gone.

In Massachusetts we have been hit particularly hard, with the highest unemployment rate in the country. While the data are still emerging, the numbers of families at financial risk is of great concern. A recent report by the Metropolitan Area Planning Council looked at the unemployment numbers in the commonwealth and calculated that 45,000 renter households and 35,000 homeowners with mortgages will have a hard time paying this month.

Besides emotional and financial stress, these families face long-term consequences. As Rachel Heller, the executive director of CHAPA, a leading housing advocacy organization, said in a letter to Gov. Charlie Baker, "Evictions also have long lasting impacts on households, which can make it difficult to find and maintain housing in the future."

In recent days, the Baker Administration has shifted course. The moratorium on evictions ended on Oct. 17, and in its place is a multifaceted approach designed to slow evictions through case-by-case intervention and diversion measures.

A major reason the governor ended the moratorium was his recognition that the status quo was unsustainable. The financial situation for tenants continues to deteriorate, debt loads increasing and no relief in sight. Landlords, particularly small ones with non-paying tenants, are struggling to pay expenses.

There was also an indication that an extended moratorium would likely not have withstood court challenges. The state moratorium was far more comprehensive than the federal Centers of Disease Control moratorium, which continues through Dec. 31.

But most likely the governor made this change when it became clear that there would be no upcoming financial relief from Washington at the scale necessary to address the crisis.

### A Move 'Upstream'

The governor has created a plan that assumes the progressive nature of the real estate community. It encourages tenants and property owners to engage "upstream," before financial problems become extreme, including allowing small landlords to apply for resources with tenant consent.

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Among the solutions is providing resources to help renters understand their rights, both to best engage in productive negotiations with owners and to be armed with the knowledge that it takes months and a court order to evict them.

Although it unnerves some, the governor is also reinstating retired judges to address backlogs in the court system. The goal is not to escalate and accelerate evictions but rather to stabilize tenancies through expedited engagement of counsel, diversion to mediation and financial incentives to preserve tenancies for at least six months in the hope of bridging to better times and more adequate resources.

For this purpose, the governor has committed \$171 million overall of money that the state has received via the federal CARES Act. One hundred million dollars of this would expand an existing rent relief fund, making available up to \$10,000 per eligible family, and would streamline the program to get the funds distributed quickly.

"This strategy has been designed to be user friendly and easily accessible for tenants and landlords in need," Baker said when the plan was announced.

The governor has pledged that, if more resources are needed, he will allocate more.

### Baker Offers Real Relief

While the governor's plan is not particularly bold, it is one that promises to bring real relief to thousands of Massachusetts families. In Boston, city officials have embraced this approach as well, going so far as to create commitments with some of the largest landlords operating there, who have pledged to work with tenants to maintain their housing.

If there is a weakness to the plan it is that it is to be implemented so quickly. The state's moratorium ended within five days of the governor's announcement. There will inevitably be confusion and difficulties. As a result, it is imperative that public pressure be applied to ensure that sufficient resources are made available to meet the challenge.

We find ourselves needing to step back from the precipice of yet another economic crisis caused by the pandemic. Not unlike how we are battling a virus that has devastated the lives of so many, we must focus on our most vulnerable families and where possible keep them out of harm's way.

We can and must buy precious time until new resources emerge and our economy recovers, averting the crushing effect that eviction will have on Massachusetts families at risk and the communities in which they live. ◀

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*Continued on Page 2*