

October 7, 2022

The Honorable Michael Rodrigues
Chair, Senate Committee on Ways and Means
State House, Room 212

The Honorable Aaron Michlewitz
Chair, House Committee on Ways and Means
State House, Room 243

Senator Eric Lesser
State House, Room 410

Representative Mark Cusack
State House, Room 34

Senator Patrick O'Connor
State House, Room 419

Representative Michael Soter
State House, Room 237

RE: The HOMES Act and an Act relating to economic growth and relief for the commonwealth (S. 3030/H. 5034)

Dear Chair Rodrigues, Chair Michlewitz, and Honorable Conferees of the Economic Relief Bill:

Thank you for your work to pass an economic relief act before this session ends; the investments being made in communities are critical for our recovery.

At a time when housing stability is on everyone's minds, however, we urge you to ensure that the eviction record sealing protections from the HOMES Act are included in any economic relief bill or other bills that the legislature enacts before the end of the session.

HOMES is urgently needed to prevent the long-term harmful effects that eviction records are having on peoples' ability to access stable and safe housing. There are tenants who have done nothing wrong, cases where landlords have been paid the rent they are owed, and cases where tenants are being evicted for no-cause. Here are just two examples:

A woman with a Section 8 voucher left her home of 16 years so her landlord could sell the building. Her landlord had filed a no-cause eviction and the case was dismissed. Despite a steady work history and a dismissed no-cause eviction, she was rejected from almost 100 apartments and found herself homeless for over a year. "My realtor told me that the eviction would make it difficult for me to find a place. I am a hard-working woman and I find myself on the street," said the tenant.

A family signed an agreement to move out so their landlord could sell the property. The court improperly coded the case as "Non-payment of Rent" on MassCourts. Realtors told the family "Don't even bother to apply if you have an eviction." That family became homeless, staying temporarily in a friend's basement, and then lost their Section 8 voucher. "I am assumed to be guilty even though I have never done anything wrong," said the tenant.

Last session, the Senate and the House voted to include HOMES in the economic development bill which the Governor vetoed with no time for an override. In his letter of January 14, 2021,

the Governor stated that he vetoed the HOMES Act because he was concerned about landlords not knowing about criminal activity and about the administrative burden on the courts during the state of emergency when they were operating remotely.

This session, **HOMES has again moved through both legislative branches.** In the House, HOMES was ordered to a third reading (H. 4505) after being reported favorably out of the Judiciary Committee and the House Steering, Policy and Scheduling. **The Senate addressed the Governor's concerns about public safety** and voted, with bi-partisan support, to include the HOMES Act in the Economic Relief bill in Section 135C, S. 3030. After S. 3030 was reported to the Conference, the Greater Boston Real Estate Board (GBREB) opposed certain sections of the HOMES language and again the Senate negotiated language with different stakeholders to address concerns and developed a compromise version that had unanimous support from GBREB which recognizes that people deserve the opportunity to a second chance. HOMES also garnered new support from Suffolk District Attorney Hayden, Mass AFL-CIO, and the Mass Catholic Conference.

Why is it urgent to pass HOMES this session? Under current law, there is no process for a tenant to seal an eviction record. Compromise language for Section 135C in S. 3030 will:

- Establish a fair process for tenants to petition the court on a case-by-case basis.
- Protect many tenants from being unfairly marked with an eviction record.
- Give the court the discretion to process petitions administratively without a hearing.
- Make sealing provisions effective within 90 days of passage.

On average 40,000 people faced eviction each year before the pandemic. No housing policies to protect tenants facing housing instability have passed in the past two sessions. The number of evictions are starting to climb again and as we try to provide people with relief from this pandemic, the HOMES Act offers the legislature a chance now to pass meaningful housing policy.

Other cities and states have adopted eviction sealing protections including California, Colorado, Virginia, Minnesota, New Jersey, Washington DC, Illinois, Oregon, Utah, Indiana, Nevada, Texas, and Cleveland and Columbus Ohio. **It is time for Massachusetts to do the same.** We urge you to pass the HOMES Act and work to get this to the Governor's desk and past the finish line.

Thank you.

HOMES Supporters

cc: President Spilka
Speaker Mariano
Senator Edwards (Lead Senate Sponsor)
Representative Moran (Lead House Sponsor)

HOMES Supporters

- Abundant Housing MA
- Action for Equity
- Alliance of Cambridge Tenants
- American Civil Liberties Union of Massachusetts
- American Civil Liberties Union Women's Rights Project
- Arise for Social Justice
- Beacon Communities, LLC
- Boston Area Rape Crisis Center
- Boston Medical Center
- Boston Tenant Coalition
- Cambridge Housing Justice Coalition
- Cambridge Residents' Alliance
- Cape Cod DSA
- Casa Myrna Vazquez
- Cathedral Church of St. Paul
- Central West Justice Center
- Charter Street Tenant Association (Salem)
- Children's HealthWatch
- Chinese Progressive Association
- Citizens' Housing and Planning Association
- Citizens for Affordable Housing in Newton Development Organization
- City Life/Vida Urbana
- City Mission Boston
- Coalition for Occupied Homes in Foreclosure
- Coalition for Social Justice
- Community Action Agency of Somerville
- Community Action Pioneer Valley
- Community Health Network for North Central Mass
- Concilio Latino de Massachusetts
- Craig's Doors - A Home Association
- De Novo Center for Justice and Healing
- Devenscrest Tenant Association
- Disability Law Center
- DOVE (Domestic Violence Ended)
- Dudley Street Neighborhood Initiative
- Easthampton Affordable and Fair Housing Partnership

- Eliot Community Human Services
- Family Promise Metrowest
- Father Bill's & MainSpring
- Food Bank of Western Massachusetts
- Greater Boston Building Trades Unions
- Greater Boston Labor Council
- Greater Boston Legal Services
- Greater Springfield Habitat for Humanity
- GreenRoots
- Grow A Strong Family
- Hildebrand Family Self-Help Center
- Homes for Families
- HomeStart, Inc.
- Housing Families
- Housing Justice for Survivors
- Jewish Alliance for Law and Social Action
- Jewish Family & Children's Services
- Justice Center of Southeast Massachusetts
- La Colaborativa
- Landlords for Affordable Housing
- Law Office of Muska Yousuf
- League of Women Voters Massachusetts
- Legal Services Center of Harvard Law School
- Lower Cape Indivisible
- Mandela Residents Cooperative Association, Inc.
- Mass AFL-CIO
- Mass Affordable Housing Alliance
- Mass Alliance of HUD Tenants
- Mass Association of Community Development Corp.
- Mass Association for Mental Health
- Mass Catholic Conference
- Mass Coalition for the Homeless
- Mass Communities Action Network
- Mass Fair Housing Center
- Mass Jobs with Justice
- Mass Law Reform Institute
- Mass Public Health Association

- Mass Smart Growth Alliance
- Matahari Women Workers' Center/Centro deMujeres Trabajadoras de Matahari
- Mayor Sumbul Siddiqui, Cambridge
- Mayor Jared Nicholson, Lynn
- Mayor Josh Garcia, Holyoke
- Mayor Gina-Louise Sciarra, Northampton
- Metropolitan Mayors Coalition
- Metropolitan Area Planning Council
- NAACP New Bedford
- National Assoc of Social Workers, MA Chapter
- Neighbor to Neighbor Massachusetts
- One Family
- Our Revolution Cambridge
- Preservation of Affordable Housing
- Progressive Democrats of Massachusetts
- Progressive Massachusetts
- Project Hope
- Right To The City Boston
- Rosie's Place
- SEIU, 888
- St. Mary's Center for Women
- ServiceNet
- Solidarity Lowell
- Somerville YIMBY
- Springfield Dementia Friendly Coalition
- Springfield Food Policy Council
- Springfield No One Leaves
- Springfield Partners for Community Action
- The Second Step
- Uniting Citizens for Housing Affordability in Newton
- United Way of Massachusetts Bay and Merrimack Valley
- Volunteers of America of Massachusetts
- Walk UP Roslindale
- Western Mass Network to End Homelessness
- WinnCompanies
- Womanshelter/Compañeras
- YMCA of Western Mass