



Danna E. Mauch, PhD

President and CEO
Directors

Ambassador (ret.) Barry B. White

Chairperson of MAMH Board of

May 9, 2023

The Honorable James Eldridge
Chair, Joint Committee on Judiciary
Boston, MA 02133

VIA EMAIL TO michael.musto@mahouse.gov

The Honorable Michael Day
Chair, Joint Committee on Judiciary
State House
Boston, MA 02133

Dear Senator Eldridge, Representative Day, and Members of the Joint Committee on the Judiciary:

Re: In Support of *An Act promoting access to counsel and housing stability in Massachusetts, H. 1731* (Rep. David Rogers)

On behalf of the Massachusetts Association for Mental Health (MAMH), thank you for the opportunity to submit testimony in support of H.1731, *An Act promoting access to counsel and housing stability in Massachusetts*, sponsored by Representative John Rogers.

Formed over a century ago, MAMH is dedicated to promoting mental health and well-being, while preventing behavioral health conditions and associated disability. We are committed to advancing prevention, early intervention, effective treatment, and research for people of all ages. We seek to eliminate stigma and discrimination and advance full inclusion in all aspects of community life. This includes discrimination affecting not only people with behavioral health conditions, but also people who face unequal burdens and barriers to the protections and benefits of citizenship due to their race, ethnicity, gender identity, or disability status. MAMH has a demonstrated track record of furthering its mission by convening stakeholders across the behavioral health and public health communities; disseminating emerging knowledge; and providing subject matter expertise to inform public policy, service delivery, and payment methodologies.

The Massachusetts Association for Mental Health (MAMH) recognizes that safe, affordable housing is critical to mental health and well-being. Stable housing is a means both to promote mental health and to address behavioral health challenges. Legal help in eviction cases is a powerful tool to improve housing stability and prevent homelessness. Access to counsel in eviction cases helps to ensure that those with mental health challenges facing evictions are treated with dignity and respect and can navigate a complicated system. Legal counsel can also

serve as a bridge for those with mental illness to access supportive housing and other resources, including the Tenancy Preservation Program.

A right to counsel is a means to address existing disparities experienced by people with mental health needs. Data demonstrates that people with mental health issues are at increased risk of eviction and are often less likely to have the tools to fight eviction. A study conducted by the University of Toledo last year documented how evictions pose particular risk for people with mental health challenges and often the cause for eviction is related to the mental health disorder.¹

The problem is exacerbated by evidence showing that eviction (or even just the threat of eviction) worsens mental health outcomes. A recent survey of 47 studies found that individuals under threat of eviction experience negative mental health outcomes including depression, anxiety, psychological distress, and suicide.² Being physically removed from one's home is related to higher risk of depression and anxiety symptoms or psychological distress, higher prevalence of depression and anxiety attacks, and an increase in suicide rates.³

Housing insecurity can have a life-long deleterious mental health effect, particularly on children. A 2019 literature search study of youth (ages 5–18) found that homelessness and/or housing instability were associated with multiple negative physical, mental, and behavioral health outcomes.⁴ This study further found that children experiencing homelessness required more inpatient mental health services than their housed peers; homeless youth demonstrated greater incidence of mental illness and worsening of mental illness symptoms with increased length of homelessness; and the associations between mental health, substance abuse, and victimization were particularly strong.⁵

Children in families that experience eviction are more likely to be placed in out-of-home care, which is associated with poor short- and long-term mental and physical health outcomes.⁶ The Boston Bar Association study assessing the benefits of legal representation in eviction proceedings found that children in about 20% of families experiencing homelessness are placed

¹ Christine Billau, "Study Reveals Impact of Evictions on People with Mental Health Disorders," News, UToday, Arts and Letters, February 19, 2021, https://news.utoledo.edu/index.php/02_19_2021/study-reveals-impact-of-evictions-on-people-with-mental-health-disorders.

² Hugo Vasquez-Vera, Laia Palencia, Ingrid Magna, Carlos Mena, Jaime Neira, Carme Borrell, "The threat of home eviction and its effects on health through the equity lens: A systematic review," *Social Science & Medicine* 175 (2017), 199-208, available at <https://sci-hub.se/10.1016/j.socscimed.2017.01.010>.

³ *Id.*

⁴ Laura E. Gultekin, PhD, RN, Barbara L. Brush, PhD, RN, FAAN, Emily Ginier, MLIS, et al, "Health Risks and Outcomes of Homelessness in School-Age Children and Youth: A Scoping Review of the Literature," *The Journal of School Nursing*, September 15, 2019, <https://journals.sagepub.com/doi/full/10.1177/1059840519875182>.

⁵ *Id.*

⁶ Heidi Schultheis and Caitlin Rooney, "A Right to Counsel is a Right to a Fighting Chance," October 2, 2019, <https://www.americanprogress.org/article/right-counsel-right-fighting-chance/>

in foster care.⁷ Likewise, a study among low- and moderate-income homeowners threatened with foreclosure found that this situation can generate sufficient stress to break up families, straining marriages to the point of divorce, and reducing homeowners' earning capacities.⁸

Conversely, legal representation helps keep families intact, which benefits the mental health of all family members. For mental health consumers, stable housing is important in pursuing treatment goals.⁹ Legal representation of low-income tenants and owner occupants is a critical tool to help families stay together, stabilize their housing and mental health, and get their feet back on the ground.

Finally, people with mental illness who face hardships due to other inequities are at greatest risk of housing instability. One study found that people already suffering inequities based on race, gender, age, and ethnicity who are also facing mental health issues are more at risk of housing instability through eviction and foreclosure.¹⁰

MAMH recognizes the difference legal assistance makes in helping to avoid the deleterious effects of eviction and keep vulnerable members of our community safe and stably housed. We urge you to report H.1731 out of committee favorably and we urge support of S.864, its counterpart in the Joint Committee on Housing, sponsored by Senator Sal DiDomenico.

Thank you for your consideration.

Sincerely,



Danna Mauch, PhD
President and CEO

c: Rep. David Rogers
Sen. Sal DiDomenico

⁷ Boston Bar Association, Investing in Fairness, Justice and Housing Stability: Assessing the Benefits of Full Legal Representation in Eviction Cases in Massachusetts (2020),

<https://bostonbar.org/docs/default-document-library/rtc-report-for-web-or-email.pdf>

at 17.

⁸ Vasquez-Vera, *supra* note 2.

⁹ See Billau, *supra* note 1.

¹⁰ See Vasquez-Vera, *supra* note 2.