



MLPB

ADVANCING HEALTH THROUGH JUSTICE

September 2020



Unlocking Access to Safe, Healthy, and Affordable Housing Eviction moratoria nation-wide, in MA, and in RI

As the COVID-19 pandemic continues to impact people's social needs, housing stability remains a great challenge for many in the United States. In this stressful landscape, some relief came with the Department of Health and Human Services and the Centers for Disease Control and Prevention's jointly issued [nation-wide eviction moratorium](#). But what does this moratorium actually mean? We've broken it down in terms of nation-wide protections, and how they pair with protections in place (or not) in MA and RI.

Eviction Moratorium - National

- The HHS/CDC eviction moratorium protects most tenants experiencing financial hardship and is in effect from **September 4, 2020** through at least **December 31, 2020**
- At-risk renters need to meet the requirements spelled out in the [CDC notice](#) and sign and share [this declaration](#) with their landlord
- The protection applies to new and already-filed evictions so long as the tenant completes the declaration

- Tenants still can be evicted for reasons other than nonpayment of rent
- If landlords fail to comply with the moratorium, there are criminal penalties enforceable by the Department of Justice
- Tenants are encouraged to make partial payments to their landlords

National Moratorium Gaps

- The eviction moratorium is not rent cancellation; it does not provide additional funds for rental assistance
- The eviction moratorium covers only *rentals*; it does not protect people from foreclosure
- The eviction moratorium protection must be asserted by the tenant; if the tenant does not give their declaration to the landlord, the eviction for non-payment may proceed
- Currently, the CDC offers the declaration in English only

National Resources

- [The Eviction Lab](#) has assembled a state-level overview of COVID-19-related eviction laws, ranked by tenant-protectiveness
- [Fannie Mae](#) and [Freddie Mac](#) have developed online multifamily property lookup tools to help renters learn if they are protected from evictions during the pandemic

Eviction Moratorium - Massachusetts

- MA's COVID-19 Eviction and Foreclosure Moratorium Law has been in effect since **April 20, 2020** and will remain in effect until at least **October 17, 2020**
- MA's eviction moratorium has provisions that are even more protective than the HHS/CDC moratorium. At-risk renters can [sign and share this notice with their landlord](#)
- At-risk renters can assert their HHS/CDC and MA moratorium rights at the same time; this means when the MA moratorium expires, tenants will still have the limited rights provided by the federal moratorium
- [MA's moratorium](#) protects tenants from old and new eviction cases, except where there are serious health and safety hazards at stake

- Only “essential” eviction matters can be processed; see [here at #11 what "essential" means](#)

MA Resources

- **The Department of Housing and Community Development (DHCD)** has issued guidance urging state-subsidized housing providers to suspend non-essential evictions and temporarily suspend subsidy terminations. Additional [homelessness prevention funds](#) (RAFT) have been released as well.
- **Housing discrimination** – including eviction or refusal to rent – based on national origin or race, age, gender, or the perception that one has a disability, **is illegal**. If discrimination occurs, one can file a complaint with the [MCAD](#).

*MLPB was honored to join [distinguished colleagues and organizations](#) in filing an [amicus brief](#) in connection with recent state court litigation relating to the MA eviction moratorium. Thank you to **Larry Kolodney** and **Kelly Allenspach Del Dotto** of [Fish & Richardson](#) for their outstanding work on this important brief that elevates public health imperatives for all residents of the Commonwealth!*

Eviction Moratorium – Rhode Island

- There is no state-specific eviction moratorium in RI, so the protections offered by the HHS/CDC moratorium are even more valuable in the Ocean State
- At-risk RI renters need to meet the requirements noted in the [CDC notice](#) and sign and share [this declaration](#) with their landlord

RI Resources

- **Eviction defense is available for Providence residents:** call [RI Legal Services](#) and the [RI Center for Justice](#) directly for assistance
 - **Safe Harbor Housing Program** offers tenants a solution outside of the court system by supporting them to create payment plan with their landlord. To apply, tenants or landlords can visit [United Way's website](#)
 - **HomeSafe rental assistance fund** is open and a common application can be found [here](#); this is a one-time grant of financial assistance for families experiencing housing instability
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MLPB will continue to monitor developments and provide updates to care teams. For more up-to-date information, check out the *On Our Mind* content at the end of this newsletter and MLPB's [Digital Digest](#)!

READ ALL ABOUT IT

Also on the topic of safe housing, healthy, and affordable housing, Samantha Morton, CEO, MLPB and Salin Geevarghese, President & CEO of [SGG Insight, LLC](#) and Senior Fellow at [CSSP](#) recently joined forces to co-write a blog entry on ***Fair Housing: Fundamental to Family Health, and Elusive***. If you want to know more about fair housing, why it matters, and how to achieve it, check out this latest entry on our *Bridging Divides Blog*.

Read more!



Access to Justice & Health

- [Public Health Right to Counsel Letter](#) (Mass RTC, Sept. 2, 2020)

Care Delivery & Financing

- [How Foundational Moments In Medicaid's History Reinforced Rather Than Eliminated Racial Health Disparities](#) (Health Affairs, Sept. 1, 2020)
- [Value-Based Health Care Must Value Black Lives](#) (Health Affairs, Sept. 3, 2020)

Community Health Workers

- [Coronavirus Contact Tracers: Part Detective, Part Social Worker](#) (California Health Care Foundation, Aug. 24, 2020)

- [Community Resilience For COVID-19 And Beyond: Leveraging A System For Health Care And Social Services Integration](#) (*Health Affairs*, Aug. 12, 2020)
- [Training and Supporting Community Health Workers and Promotores: Lessons for California and Other States](#) (*Center for Health Care Strategies, Inc.*, Aug. 2020)

Digital Equity

- [Low internet access is driving inequality](#) (CNN, July 5, 2020)

Discrimination, Racism & Health Disparities

- [Black Americans, suffering disproportionately from COVID-19, face a mounting mental health crisis](#) (*The Boston Globe*, Sept. 7, 2020) (subscription required)
- [Another Court Vacates LGBTQ-Specific Rollbacks From New 1557 Rule](#) (*Health Affairs*, Sept. 4, 2020)
- [Community-Level Factors Associated With Racial And Ethnic Disparities In COVID-19 Rates In Massachusetts](#) (*Health Affairs*, Aug. 27, 2020)
- [New study confirms staggering racial disparities in COVID-19 cases in Massachusetts](#) (*The Boston Globe*, Aug. 27, 2020) (subscription required)
- [It's hot and humid. What happens to people who can't afford air conditioning?](#) (*The Boston Globe*, July 9, 2020)

Early Childhood

- [The multitude and magnitude of coronavirus stressors on children](#) (*The Boston Globe*, Aug. 7, 2020) (subscription required)

Food Insecurity

- [Health care institutions, nonprofits team up to battle hunger and the pandemic](#) (*The Boston Globe*, Aug. 14, 2020) (subscription required)
- [SNAP Participants Improved Food Security And Diet After A Full-Service Supermarket Opened In An Urban Food Desert](#) (*Health Affairs*, Aug. 2020) (subscription required)
- [Food Insecurity Is Associated With Higher Health Care Use And Costs Among Canadian Adults](#) (*Health Affairs*, Aug. 2020) (subscription required)

Housing Instability

- [Why an Eviction Ban Alone Won't Prevent a Housing Crisis](#) (*The New York Times*, Sept. 3, 2020) (subscription required)
- [Black Homeowners Face Discrimination in Appraisals](#) (*The New York Times*, Aug. 25, 2020) (subscription required)
- [Settling bias allegations with four apartment brokers, attorney general wins fines, mandatory training](#) (*The Boston Globe*, Aug. 13, 2020) (subscription required)
- [The Rent Eats First, Even During a Pandemic](#) (*The New York Times*, Aug. 8, 2020) (subscription required)
- [D.C. pays millions to place the homeless in hotels to avoid covid-19. But many rooms are empty. And others need them.](#) (*The Washington Post*, Aug. 7, 2020)
- [When Storms Collide: Evictions, COVID-19, And Health Equity](#) (*Health Affairs*, Aug. 4, 2020)
- [Scoop: Governor Raimondo to launch \\$7 million program to help renters facing eviction](#) (*The Boston Globe*, July 10, 2020) (subscription required)

Immigration Status & Health

- [Looming Fee Increase Could Thwart Many U.S. Citizenship Applications](#) (*The New York Times*, Aug. 16, 2020) (subscription required)

Income and Health

- [Income Disparities In Access To Critical Care Services](#) (*Health Affairs*, Aug. 2020) (subscription required)

Water

- [The Flint Settlement: The Exception That Proved The Rule](#) (*Health Affairs*, Sept. 2, 2020)
- [We need a Water New Deal too](#) (*The Boston Globe*, July 4, 2020) (subscription required)

MLPB equips communities of care with legal problem-solving education and strategies that disrupt the evolution of a person's social, economic, or environmental need into a legal — and health — crisis.

Through training, consultation and technical assistance, we help workforce partners understand their unique capacities to *unlock access* to a range of health-promoting benefits, services, and legal protections — thereby advancing health equity.

MLPB is a fiscally sponsored program of [TSNE MissionWorks](#).

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