

## **An Act Providing for Eviction Protections During the COVID-19 Pandemic Emergency Floor Documents**

November 17, 2020

Speaking remotely, Sen. Crighton of Lynn said: “I apologize for the delay. The housing crisis has been greatly exacerbated by COVID-19. Ensuring housing stability must be a key piece of our recovery. I'd like to thank the Senate president and the Senate Ways and Means chair for their commitment throughout this process. We began this work with the strongest eviction and foreclosure moratorium. We then coordinated with the administration and House to monitor the eviction situation throughout the pandemic. This budget maintains that commitment to keep people in their homes. This budget invests \$50 million into the RAFT program, this investment is paired with an additional \$100 million from federal resources and supplemental funding. This Senate Ways and Means budget also allows eligible households to access RAFT and HomeBase. It invests \$135 million for the Massachusetts Rental Voucher Program, \$2.5 million for affordable housing accessibility grants program. Invests \$8 million for unaccompanied homeless youth. The budget also includes \$179 million for emergency family shelters. The budget also makes policy changes effective throughout the COVID-19 emergency. This budget also creates key data collection for the administration's eviction and diversion initiative, including information on RAFT applications, all reported down to the municipal level. The comprehensive approach being taken by the Senate will address the public health and housing crisis created by the pandemic and keep people in their homes.”

November 18, 2020

### **CRIGHTON AMENDMENT 336 - Ensuring Housing Protections During COVID-19**

Sen. Crighton, speaking remotely, said, it needs to be emphasized the commitment in this budget to housing security. Thanks to my colleagues who have contributed to specifics that are in this amendment. I rise in strong support. This is ensuring housing protections during COVID-19. This contains several provisions to protect those facing housing insecurity during the crisis. The pandemic has exacerbated housing insecurity and we are in the middle of a public health crisis. A recent Census Bureau survey found that nearly one in six renters are behind on their rent. This amendment seals eviction records in proceedings for nonpayment of rent due to COVID-19 when the case has not resulted in a judgment against the defendant or the defendant has made a good-faith effort to come to an agreement. These tenants do not deserve to have their future efforts to secure housing jeopardized. It also concerns reporting to credit agencies. There is an unprecedented number of tenants seeking aid through RAFT. This budget makes an additional investment of \$50 million, and this amendment includes clarifying language concerning applications. Finally, this creates a task force to monitor implementation of the administration's COVID-19 Eviction Diversion Initiative and to make policy recommendations whenever necessary. While I appreciate the administration's efforts to launch these programs, it

is a complex effort that requires close monitoring. The task force will make recommendations related to all aspects of the initiative, including pretrial mediation, legal representation and the recent changes made to housing consumer education centers, RAFT, Home Base and more. I believe this amendment will help further strengthen the Senate's comprehensive approach.

Sen. Crighton requested a roll call vote. There was sufficient support.

BY A ROLL CALL VOTE of 39-0, amendment ADOPTED. Time was 10:48 a.m.

#### JEHLEN AMENDMENT 389 -- Ensuring Access To All Forms of Rental Assistance

Sen. Jehlen said, Thank you. This is one more step to reduce evictions. For people of color, it is a perfect storm. They are most likely to work essential jobs, they are most likely to be evicted, to be homeless or to live in doubled-up conditions. Evictions are certainly an issue of racial justice. The governor declined to extend the moratorium and many of us had deep concerns about that plan. Most landlords don't want to evict during a pandemic, but small landlords cannot be expected to absorb the blow alone. The House budget made a start and I want to offer my gratitude to the chairman of Housing and others for their work on this issue. This amendment clarifies that the pause during an eviction process will not just be for RAFT, but other funds from local and state entities.

The amendment was ADOPTED.

### **Legislature's Response to Governor's Amendments**

#### House

Rep. Michelwitz said: "Today we are taking up a number of items related to the fiscal year 2021 budget. A few weeks ago, we made passed a budget that was balanced. Despite a deficit, we were able to give significant support in strategic areas. One of the areas that I am most proud of is housing. The pandemic has exacerbated housing insecurity. Back in April, the House led the way in passing the strongest eviction moratorium in the country. We have been able to invest over \$100 million into RAFT. And while the financial support is key, it does not slow the eviction process. And while the administration is working as quickly as it can, it cannot keep up the demand. We enacted language that required the courts to stay an eviction judgment if the tenant has a certain pending application. The language requires landlords to change certain notices. The governor sent this section back, and while he does not propose changing a majority of the language, we feel the House language is stronger. We will also be taking up several other items from the governor. We are proposing to accept one related to distributing funds. And we are proposing to reject others related to spending federal funds and reporting COVID data. I look forward to a productive day as we finish the budget cycle."

By a ROLL CALL vote of 30-127 at 1:24 p.m. on 12/22/2020, amendment REJECTED.

## Senate

Sen. Tarr said” “I'm hoping the distinguished chair will be able to provide an explanation of what was originally proposed and what was proposed by the governor with his amendment.”

Sen. Rodrigues said: “I rise in opposition to the governor's proposed amendment. In this budget we included several provisions to support and supplement the governor's eviction diversion initiative. We required the courts to pause proceedings while rental assistance applications are processed. We mandated the DHCD and the courts provide information on assistance programs. We created a task force. The governor's amendment would undo many protective measures. It would allow courts to accept eviction filings even if the landlord does not provide proof of proper notice to the tenant. Our budget amendment ensures landlords cannot start the court process until they provide that basic information. This would also scale back conference report provisions and remove important data requirements and repeal the diversion task force. We believe the data and task force are critical to understanding the current housing crisis and how well the administration's programs are working. I ask my colleagues to please vote no.”

Amendment REJECTED.