



Protect your right to housing and health during this global pandemic

As a consequence of the COVID-19 pandemic, and the accompanying economic downturn, thousands of families are struggling to pay their rent or mortgage and maintain safe, stable housing for their families. Since sheltering in place is a key strategy for stopping the transmission of the virus, it is vital that everyone understands their housing rights during this unprecedented public health crisis. This newsletter provides information about some recently enacted legislation and policies intended to mitigate the worst economic effects of the pandemic and also highlights existing housing laws that protect the rights of vulnerable populations that are at greater risk during the pandemic.



Eviction Moratorium

In April, Massachusetts passed a law temporarily halting most evictions and foreclosures to protect residents from losing their housing during the pandemic. The eviction moratorium will remain in effect until August 18, 2020 or until 45 days after the Governor lifts the state of emergency, whichever comes first (unless extended). The moratorium may not apply to tenants who are involved in criminal activity or lease violations that endanger the safety of others. Under most circumstances, the eviction moratorium prohibits landlords from filing for eviction in court, sending any notice of lease termination, or requesting that tenant(s) leave their home.

The moratorium not only prevents new evictions from being filed in court until the expiration of the protection, under most circumstances it also halts ongoing eviction proceedings until the moratorium expires. Additionally, owner-occupied 1-4 family residential homes are protected from mortgage foreclosure.

Tenants are still required to pay rent while the eviction moratorium is in effect. However, the moratorium prohibits landlords from charging late fees if nonpayment was due to COVID-related financial hardship. Tenants can use [this form](#) from DHCD to notify their landlord of the financial hardship. You can find more information about the terms of the moratorium as well as specific

Additional rental assistance is available with less red tape



The RAFT (Rental Assistance for Families in Transition) program provides up to \$4,000 to families with children, or individuals, to help avoid homelessness. This flexible funding can be used to retain housing, move to new housing, cover back rent, security deposits, utility arrears, moving costs and more. Since the pandemic, RAFT funding has been

increased by \$5,000,000 and the application process has been simplified. RAFT funding is administered by local agencies. You can locate your local agency [here](#).

Stavros Center for Independent Living has received funding to help persons with disabilities and/or households with at least one person with a disability, with COVID-19 related financial burdens. These households are eligible for \$1000 to assist with rent, mortgage, utilities, prescription costs, first, last and security, food, furniture, moving costs, etc. Stavros must award these funds by the end of August. Applicants should call 800-804-1899 x 201, without delay.

Housing rights for survivors of domestic violence who are sheltering in place

The United Nations Population Fund has [estimated](#) that cases of domestic violence increase by 20% during periods of lockdown. Stay-at-home orders and economic stress can cause domestic abuse to increase. Sheltering in place can increase the amount of time someone spends with their abuser, and the heightened stress often makes the abuser more likely to lash out against the victim, who is isolated and unable to contact friends and family.

Domestic violence disproportionately impacts individuals, who are already marginalized. [According to Jane Doe Inc.](#), people of color, LGBTQ+ individuals, and people with disabilities are among those who are at the greatest risk of experiencing domestic violence, but there are important federal and state housing rights to help survivors access or maintain safe and in stable housing.

Under Massachusetts law, these protections include:

- Allowing survivors to terminate their lease early and move if they believe they are in danger;
- Requiring landlords to change the locks on a unit within two days if a household member reasonably believes they are under the imminent threat of violence on the premises;

- Prohibiting landlords from discriminating against domestic violence survivors, who have exercised their rights under state law.

Under federal law, there are protections for Section 8 recipients, and residents of other federally-subsidized housing, including federal public housing. These protections include:

- An emergency transfer to another federally supported housing complex;
- Taking the abuser off the lease, but allowing the survivor to remain;
- Prohibiting landlords from evicting the survivor because of the domestic violence

Survivors can receive these protections based on their own sworn statement, without having to provide a police report or restraining order.

Sexual harassment in housing is increasing and should be reported

According to fair housing organizations across the country, incidents of landlords intimidating tenants with [unwanted sexual advances are increasing nationwide](#). Unfortunately up to 80% of sexual harassment by landlords is [unreported](#), making it difficult to stop. But sexual harassment in housing is illegal and there are laws and resources available to help anyone who is subject to such harassment.

Unlawful sexual harassment can take different forms:

- Quid-pro-quo harassment (for example, a tenant is threatened with eviction unless they accept a landlord's sexual advances);
- Hostile environment harassment (for example, persistent unwelcome conduct that interferes with the tenant's access to safe housing).

The Department of Justice has additional information regarding sexual harassment in housing which can be found at [the Department of Justice's Sexual Harassment in Housing Initiative page](#).

Become a Fair Housing Tester

MFHC is seeking paid fair housing testers to assist with our discrimination investigations. Fair housing testers help us uncover illegal housing discrimination by posing as potential renters and home buyers and then reporting on their experiences. Fair housing testers are trained, per-diem employees of MFHC. They work remotely, on an as-needed basis, and are paid per completed assignment. Fair housing testers must be detail-oriented, well organized, and have good writing and listening skills. If you are interested, please complete our [application](#). MFHC will be holding a training session during the week of July 27th, depending on interest.



For more information or with questions, please contact our Testing Coordinator, Simon D. Elliott at selliott@massfairhousing.org.

The Mass Fair Housing Center is here for you

If you have *any questions* about your rights under the eviction moratorium, as a survivor of domestic violence, or as a victim of sexual harassment, please call the Massachusetts Fair Housing Center (MFHC) at 413-539-9796.

If you suspect housing discrimination, based on any protected class, (race, color, national origin, religion, sex, familial status, disability, presence of lead paint, sexual orientation, receipt of housing assistance, gender identity or expression, veteran's status, marital status and age) you should report it by calling MFHC (413-539-9796) or online at: www.massfairhousing.org. We will investigate your complaint, and, in appropriate cases, offer free legal representation.

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