

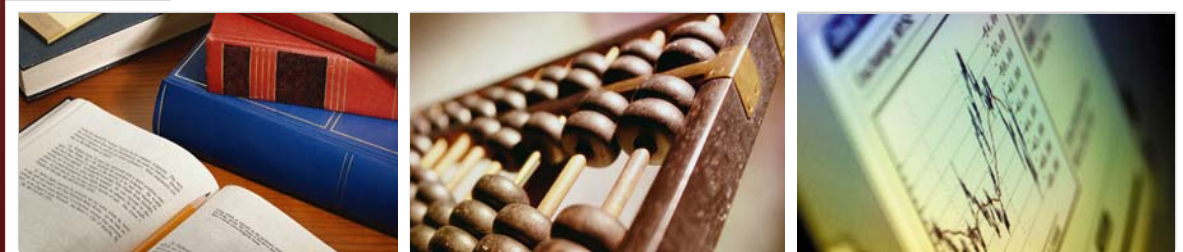


# MassHousing Tenancy Preservation Program

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Evaluation Summary

March 2010



## Introduction

### Tenancy Preservation Program Overview

Comprehensive prevention efforts that include effective, targeted interventions represent a critical step toward “closing the front door” to homelessness. The Tenancy Preservation Program (TPP) of Massachusetts is an effort designed to prevent the destabilizing effects of eviction and the impact of housing instability and homelessness for an extremely vulnerable population—those with disabilities. A collaborative effort of MassHousing, Massachusetts Housing Court, regional service providers, and state agencies within the Executive Office of Housing and Economic Development, the Executive Office of Health and Human Services, and the Executive Office of Elder Affairs, TPP aims to preserve tenancy among individuals and families at imminent risk of eviction for whom the grounds for eviction are directly related to a disability.

There are five housing court divisions across the Commonwealth. TPP currently operates in all five housing court divisions and serves tenants in Berkshire, Bristol, Essex, Franklin, Hampden, Hampshire, Plymouth, and Worcester counties. TPP also operates in Boston, as well as nearly half of the cities and towns in Middlesex and one community in Norfolk County. TPP does not provide services in communities lacking divisions of housing court. Thus, TPP does not operate in Barnstable, Dukes, or Nantucket counties, and it is unavailable in all but one community in Norfolk County. In addition, three communities in Suffolk County and 31 communities in Middlesex County are not under housing court jurisdiction, and therefore lack TPP services.

TPP currently is administered by six community-based agencies across the Commonwealth. Each program has a Program Director that may or may not carry a caseload. Program budgets and staffing vary across the six sites.

Since TPP’s inception, MassHousing has provided oversight and brokered funding for the program from state agencies, notably the Department of Housing and Community Development (DHCD), as well as the Department of Transitional Assistance (DTA), the Department of Housing and Community Development (DHCD), and the Department of Mental Health (DMH). As MassHousing and individual programs secured additional funding from the state, municipalities, local agencies, foundations, and federal sources such as the Community Development Block Grant (CDBG) and the Emergency Shelter Grant (ESG), TPP expanded across the Commonwealth.

### Program Evaluation

In 2007, MassHousing contracted with the University of Massachusetts Donahue Institute to evaluate TPP. The evaluation focused on understanding the extent to which tenant, household, and programmatic characteristics impacted outcomes, as well as documenting the cost of providing TPP services. Specifically, the evaluation documented:

- The number of tenancies and individuals served by the program
- The characteristics of tenancies and individuals served by the program
- Variations in program characteristics and implementation across courts and sites
- Program outcomes
- Variations in outcomes by tenant, household, and program characteristics
- Program costs
- Areas for improvement or expansion

The TPP evaluation included a variety of data collection methods designed to gather both qualitative and quantitative data about the statewide effort and individual programs. While most of the data collection focused on gathering tenant-level information, contextual information about the program was also gathered from meetings, site visits, and observations. Specific data collection activities included:

- Ongoing meetings with key stakeholders, including David Eng, MassHousing; the Honorable Dina Fein, Western Division Housing Court; and the TPP Statewide Steering Committee (SSC)
- Ongoing meetings with Program Directors
- Program site visits and discussions with Local Advisory Committees
- Court observations on Summary Process day with each of the six programs
- Tenant-level data on cases and consults from the six programs

## ***Program Model***

TPP acts as a neutral intermediary between landlord and tenant, and works with housing courts, public and private housing providers, plaintiff and defendant attorneys, and social service agencies to resolve tenancy problems. Typically, this involves identifying needed services, developing a service plan, managing and monitoring adherence to the plan, locating more appropriate housing if the tenancy cannot be saved, and coordinating with appropriate organizations if the problem cannot be resolved.

By design, TPP is a collaborative program. The most obvious collaborative relationship is that which exists between the programs and the housing court divisions across the Commonwealth. In all cases there is a defined working relationship between each housing court division and its corresponding TPP. Some programs, such as Boston and Northeast TPP, have offices within the courthouse. Other programs work so closely with the court that it is sometimes necessary for TPP staff to create professional boundaries so as not to be regarded as court staff.

Beyond its collaborative relationship with the court, there are a number of significant relationships that are critical to the implementation of TPP, including those with Legal Services and private attorneys, local housing authorities, landlords and property managers, local and state agencies, and community-based service providers.

The “housing” of TPP broadly within the structure of the court is not merely a matter of programmatic convenience; the court’s involvement is essential in establishing the tenant’s right to reasonable accommodation, a critical element of the TPP model. In order to become a TPP case, a tenant must have a disability and show that the disability is related to the lease violation. In doing so, the tenant establishes a right to reasonable accommodation, allowing the court to postpone eviction proceedings until a suitable reasonable accommodation can be identified and implemented. TPP plays a key role in identifying and establishing the components of a reasonable accommodation, which often takes the form of a service plan.

An accommodation might take the form of the tenant agreeing to modify his or her behavior or the tenant agreeing to have a third party (e.g., a representative payee) manage public benefits on his or her behalf to ensure that rent is paid on time. However, in those cases where an accommodation is not immediately apparent, it could mean ceasing or postponing eviction proceedings until the tenant has the opportunity to access services that may help with altering behavior or identifying other accommodations that may help the tenant comply with the lease.

## Eligibility

In FY08, over 23,000 Summary Process cases passed through the Massachusetts Housing Court, fewer than 2% of which became TPP cases. In order to determine which of the many cases passing through the housing court department are appropriate for TPP, each site has developed locally appropriate eligibility criteria. At minimum, all six programs share the same core eligibility criteria:

1. Tenant must have a disabling physical, mental, developmental, or health condition.
2. Lease violation(s) must be directly linked to disability.

Establishing the existence of a disability and linking the disability to the lease violations is required for a reasonable accommodation. Although a disability must be present for TPP involvement, neither the court nor TPP require that it be formally diagnosed or documented in order to refer or open a case. Further, it is important to note that consistent with the Massachusetts Supreme Judicial Court's interpretation of the law, substance use disorders and age-related conditions, such as dementia, qualify as disabilities for TPP services.

Although identifying tenants with disabilities and subsequently linking the disability to presenting lease violations is critical to TPP implementation, qualitative data from the program site visits and the court observations suggest that the process of identifying tenants with disabilities varied considerably within and across programs. Despite variations in identifying tenants with disabilities, to some extent initial identification almost always begins with the referral source.

In instances when the court identifies the disability, site visits and court observations suggest that there is no consistent protocol for or method of screening all tenants facing eviction for the existence of a disabling condition. For instance, among court personnel there is no one designated person responsible for identifying a disability, nor are there set protocols for determining the existence of a disability. Based on data gathered throughout the evaluation, there is no screening process or particular set of questions regularly asked of tenants to uncover a disability. Instead, court personnel continually gather clues about the existence of a disability based on information revealed throughout each proceeding as the tenant describes his or her current housing situation or tells his or her story.

In some programs, additional eligibility criteria are used as a mechanism for assigning priority to cases. For instance, most programs require that a Notice to Quit is issued in order to be eligible, and one program requires that a Summons and Complaint is issued to open a case. Including this additional criteria allows TPP workers to give priority attention to those cases further along in the process and thus at the greatest risk of imminent eviction. In addition, some programs focus efforts on tenants in public or subsidized housing. Again, this allows programs to prioritize cases that risk losing their subsidy as well as their housing if there is an eviction.

However, some programs have established additional eligibility criteria related to the concept of "preservable" tenancies. For some programs, a preservable tenancy requires both parties (landlord and tenant) be willing to work with TPP. In other programs, preservable suggests that there is an ability to pay rent either through sufficient income or a housing subsidy. In other words, TPP often will not open cases where tenants simply do not have sufficient funds for rent even if they do have a disability. In some situations, preservable relates to when the tenant is referred to TPP. In cases where a tenant is referred too far along in the eviction process to preserve the tenancy, the case is often not opened. Although the case may not be opened, TPP will often provide referrals to housing search and placement or other homeless services as appropriate.

The concept of preservable tenancy is critical to understanding this program. For the most part, TPP operates within a relatively short period of time—after an eviction notice is served and before an eviction judgment is ordered.

During this period, TPP workers assess the tenant's eligibility, understand the relationship between the disability and the lease violation, assess supports and services, develop a service plan, and work with the tenant to adhere to the service plan. If early on in the process TPP determines that a tenant does not meet core eligibility or that there is simply nothing that can be done to preserve the tenancy, TPP will not open the case. This is not a matter of taking easy cases. On the contrary, the characteristics of the cases and their documented issues make it clear that these tenants have complex and difficult problems to address. They are, however, cases where TPP workers believe that with the right mix of support and services an eviction can be avoided. Furthermore, data gathered throughout the evaluation suggest that a sizeable number of the "non-preserved tenancies" are assisted either minimally or significantly through consultation.

## Results

### Tenant and Household Characteristics

As part of this evaluation, data were gathered on TPP cases from January 1, 2008 through June 30, 2009, including cases that were opened prior to January 1 and cases that remained open after the conclusion of data collection. During the 18 months of data collection, TPP worked with 676 unique tenancies across the Commonwealth. The 676 cases amounted to 732 adults (excluding the adult children of householders), 581 minor children, and 106 adult children served overall.

The 1,419 residents assisted through the program were predominantly from single adult households (47.8% of cases) or single adult households with one or more children (44.2%). Fewer than 10% of tenancies were households containing two or more adults.

Overall, 324 households had one or more children present and 352 consisted of a single adult or multiple adults with no children. The mean age of householders served was 46.8 years. Householders with children were significantly younger (38.4 years) than householders without children (54.5 years).

Nearly one-half of all TPP cases were tenants of a local housing authority (48.7%), and an additional 35.9% were in subsidized housing through either project-based (28.1%) or individual (7.8%) subsidies. Although nearly 85% of TPP cases were in some form of subsidized housing, 15.3% of all cases were in unsubsidized housing or some other form of housing, such as assisted living facilities or sober house situations.

Three-quarters of all TPP cases were households headed by women. Households with children were significantly more likely to be headed by women than adult-only households (94.8% compared to 58.2%). Households with children were also more likely to be Spanish-speaking (12.7%) and more likely to have ever experienced domestic violence (50.6%) than households without children (6.5% and 27.2%, respectively).

Nearly one-third of TPP cases report at least one episode of homelessness in the past, and 12.3% have a history of chronic homelessness. Previous episodes of homelessness or chronic homelessness do not vary by household composition or gender. However, householders younger than 50 years of age were more likely to have ever experienced homelessness than older householders.

Overall, only 40 of the 676 householders served were veterans. Despite being a relatively small sub-group of TPP tenants, veterans were significantly more likely to have ever experienced homelessness (52.5%) or to have experienced chronic homelessness (27.5%) than non-veterans (29.9% and 11.3%, respectively).

The householders' history of domestic violence is known for 491 of the 676 tenancies served. Of those with a history of domestic violence, 41.3% also have a history of homelessness and 15.9% have experienced chronic homelessness. Those with histories of domestic violence are significantly more likely than those with no past experience to have ever been homeless (41.3% compared to 27.5%).

## Disability

Every TPP household had at least one individual with a disabling condition. In nearly every case (670 of the 676 cases) the head of household had a documented disability. Furthermore, in 536 of the 676 cases, the head of household was the sole tenant with a documented disability.

However, in 20% of cases where the head of household had a documented disability, either another member of the household also had a disability, or multiple additional members of the household had a disabling condition. In other words, TPP served 134 households where the head of household and at least one other individual had a disabling condition, and in 44 cases, the head of household plus two or more other residents had a disabling condition.

In the six cases where the head of household did not have a disabling condition, two were situations where another adult in the household had a disability, and the other four involved one or more minor children with disabilities.

Mental illness (76.2%) was by far the most common disabling condition among heads of household, followed by physical or medical disabilities (33.9%), and substance abuse (21.7%).

Overall, the disabling condition(s) reported among 43.4% of heads of household could be categorized as solely mental health related. Although mental health conditions continued to be the most common disability, householders with children were significantly more likely than those without children to have this be the sole disability category reported (58.2% compared to 30.1%). Relatively few householders had substance abuse as the only reported disability (1.9%).

Co-occurring disabilities were fairly common among TPP cases; 17.9% of householders had co-occurring mental health and physical/medical conditions, 10.9% had co-occurring substance abuse and mental health conditions, and 1.9% had co-occurring substance abuse and physical/medical conditions. In addition, 7.2% of householders had conditions that were classified as substance abuse, mental health, and physical/medical (48 heads of household). Households without children were significantly more likely than those with children to have more than one disability; 45.4% of adult-only households had a co-occurring or tri-occurring disability, compared to 29.6% of households with children.

In addition to household composition, the nature of the disability varies by the characteristics of the heads of household. Twenty-two percent of householders had a substance abuse disability either as the sole disability or in combination with other disabilities. Householders with a history of homelessness (31.8%) and householders younger than 50 years of age (24.6%) were more likely than their counterparts to have a substance abuse disability. Having a disability related to mental health was significantly more common among female heads of household and younger householders (84.4% and 87.4%) than male heads of household and older householders (63.8% and 68.1%).

The presence of multiple disabilities (e.g., mental health and substance abuse) did not vary by gender or age. However, it is important to note that householders with a history of homelessness were more likely than those who have never been homeless to have co-occurring or tri-occurring disabilities (43.1% compared to 35.8%).

## Presenting Problem

In general, the presenting problem(s) documented for each TPP case were an indication of the nature of the lease violation(s) threatening the tenancy. Presenting problems range from issues related to non-payment to disturbances and conflict to unsanitary conditions and hoarding. Nearly one-fifth (17.6%) of the 676 cases documented between January 1, 2008 and June 30, 2009 had three or more presenting problems, 61.7% had one documented problem, and 20.7% had two documented problems.

The most common presenting problem was, by far, non-payment of rent and/or utilities (61.4%). While a significant number of cases had additional presenting problems, it is worth noting that 45.1% of all documented cases presented with non-payment as the only issue threatening the tenancy. An additional 16.3% presented with non-payment in combination with one or more other issues. Nearly 39% of TPP cases presented with one or more issues other than non-payment. Of these 261 cases, 112 (42.9%) had one presenting problem, 80 (30.7%) had two problems, and 69 (26.4%) had three or more.

The nature of the presenting problem varies significantly by household composition, and to some degree, the gender of the head of household. For instance, households with children were significantly more likely than households without children to present with: issues related to non-payment (76.9% compared to 47.2%); noncompliance with administrative requirements (10.8% compared to 5.4%); and failure to recertify (8.0% compared to 3.7%).

In comparison, presenting problems related to unsanitary conditions, disturbances, safety concerns, hoarding, and criminal activity were more prevalent among households where no minor or adult children were present.

## Program Characteristics

Although four of the six programs require that at minimum a Notice to Quit has been issued to open a case, data demonstrate that every program had at least one case where the referral was made before an eviction notice was issued. In fact, 12.6% of all cases were referred before a Notice to Quit was issued. However, more than one-half (53.5%) of tenants were referred to TPP after a Summons and Complaint was issued.

Overall, 36.9% of TPP cases were referred by the housing court, followed by local housing authorities (20.6%), Legal Services or the tenant's attorney (16.6%), and community agencies (14.5%). Although case data demonstrate that primary referral sources vary by program, observations in court did not clearly reflect any program-specific pattern or referral protocol when involving TPP. On the contrary, TPP was flexible and open to all referral sources and situations. While in court, many referrals happened informally, starting off as discussions between TPP and the court or other providers and progressing as TPP was introduced to the tenant(s), as appropriate. However, some programs have a more established protocol for receiving court referrals.

Beyond the mere differences across programs, what is most interesting about the referral source data is that more than one-fourth of TPP referrals came directly from the tenant's landlord or the landlord's representative. Given that these referral sources are also the entities initiating the eviction process, the referral itself suggests a strong working relationship with TPP and an inherent interest on the part of the landlord or property manager to preserve the tenancy.

The range of referral sources and the timing of referrals speak to TPP's collaborative, working relationships. The fact that 3 out of 10 referrals occurred prior to the Summons and Complaint stage of the eviction process, and that the bulk of these referrals come from community partners and housing providers, suggests that the

program has moved beyond merely accepting referrals within the court to being willing to work with partners earlier in the eviction process.

Of the 676 documented cases, TPP closed 526 during the study period. The mean duration in which a case was open was 148.8 days, or just under five months. Nearly 40% of cases concluded within a two-month period, and an additional one-third were open three to five months.

## ***Outcomes by Characteristics***

Once TPP becomes involved with a troubled tenancy, the program is highly successful in achieving a positive outcome for tenants. Eighty-two percent of closed cases resulted in stable housing either through the preservation of the existing tenancy (72.2%) or moving to more appropriate housing (9.7%). The preservation of tenancy or transition to more appropriate housing among these nearly 400 TPP cases represents the stabilization of housing for 830 adults and children across the Commonwealth.

An additional 7.2% of closed cases resulted in “other” housing placements, including living with family and friends or placement in an institution. While these cases did not result in homelessness, the stability of the housing situation is unknown. For instance, being housed with family or friends may, in fact, be a stable situation or it may indicate a situation where tenants are “doubling up” and lacking housing stability.

Only 10.9% of closed cases resulted in eviction or termination from TPP. Although these cases resulted in eviction or termination, it is important to note that only 1.4% of all closed cases are known to have resulted in eviction to a shelter or the street.

Overall, households with children are no more or less likely than households without children to have achieved a successful tenancy outcome. This is somewhat surprising considering that households consisting of adults only were more likely to present with lease violations that may be more difficult to address, such as disturbances, hoarding, and criminal activity. Furthermore, adult-only households were more likely to have a householder with co-occurring and tri-occurring disabilities than households with children.

Analysis of tenancy outcomes by householder characteristics yielded no significant differences in outcome. Analyses included comparisons by gender, age, primary language spoken, veteran status, and history of domestic violence.

Analysis of tenancy outcomes by severity demonstrated that the householder’s history of homelessness and the nature of his or her disability were not associated with positive tenancy outcomes. However, the nature of the presenting lease violation(s) did appear to have an effect.

Tenancies that presented solely with non-payment of rent or utilities were significantly more likely than all others to result in a positive outcome. In fact, nearly 9 out of 10 non-payment cases resulted in the preservation of the existing tenancy or a transition to more appropriate housing. Cases that presented with a single issue other than non-payment were the second most likely group to have achieved a positive outcome; 8 out of 10 tenancies with a single presenting problem other than non-payment achieved a successful outcome.

Analysis of tenancy outcomes by programmatic factors included type of housing, timing of referral, referral source, and service provision (duration and effort).



Tenants of local housing authorities were more likely than those of other housing types to have had the tenancy preserved or to have moved to more appropriate housing. Given this, it is not surprising that having been referred to TPP by a local housing authority is also correlated with a positive outcome.

Although a significant number of referrals occurred prior to the beginning of the eviction process (12.6%) or prior to the issuance of a Summons and Complaint (18.2%), the extent to which early referral has a beneficial impact on outcomes is unclear. In fact, patterns in the data seem to suggest that cases referred before the eviction process commences are less likely to have positive outcomes. One possible explanation for this pattern was discussed during site visits where many TPP staff spoke about the influence of the court and the stress of an impending eviction as strong motivational factors for tenants to change behavior.

## Consultations

During the course of the evaluation, TPP provided services related to 676 tenancies. However, the 676 TPP cases served do not fully reflect the number of tenancies assisted by the program. In addition to officially opened cases, TPP provided considerable “consultation” services directly to tenants or through other service providers over the course of the evaluation period. In fact, data were submitted on 773 consults between May 1, 2008 and June 30, 2009.

It is important to distinguish TPP consults from the many requests for technical assistance, information, or referrals that TPP providers receive daily. Unlike, for instance, a one-time call from an area provider seeking advice for a client, consultations documented through this evaluation are those situations where: a) TPP staff interacts directly with a tenant or has significant awareness of the presenting problem(s) for an identifiable tenant, and b) where the tenant is not eligible or not yet eligible for TPP services. In other words, consultations mimic cases but are not classified as such, with service provision ranging from a single interaction to substantial investments of time.

Although the provision of services to tenants who are not official cases has been part of TPP from the start, the extent and nature of consultation services was not documented prior to this evaluation. Consultations occur for a number of reasons. A common type of consult occurs in situations where TPP has the expertise to assist a tenant but not necessarily preserve the tenancy. This situation is likely to occur when tenants are referred at a point in which it is too late to save the tenancy and TPP workers assist with crisis management by making referrals to other services and providing as many resources to the tenant as possible. One example, which took place during the court observations, was a family of two adults and three children who signed a move-out agreement and probably did so too quickly. Although TPP was not able to assist with preserving the tenancy, the worker met with the family and provided emotional support as well as referrals for public assistance and emergency shelter.

Another common type of consultation was those situations where a tenant received services for a period of time before becoming a TPP case. This may occur for a number of reasons. At times, TPP provides consultation when they are unsure if the tenant meets eligibility criteria. For instance, one TPP staff member referred to the consult portion of the whole case as an “investigation phase.” Some programs use consultation as a mechanism for working with tenants who are eligible for services but are on the waiting list. In these situations, TPP engages the tenant and provides the services necessary to manage the situation before they are able to fully open the case.

## Reason Not Eligible

For the most part, consultations are the result of referrals that, in some way, do not meet TPP eligibility. In some cases, tenants simply do not meet the core case eligibility criteria: 1) tenant must have a disabling physical, mental, developmental, or health condition and, 2) lease violation(s) must be directly linked to disability. However, this is a relatively small group of consultations overall. Eight percent of consultations were not eligible to become cases because the tenant lacked a disability and a similar percentage of consultations had a disability, but it was not related to the lease violation (7.0%).

The most common reason for opening a consult instead of case was a determination by TPP that the tenancy was not preservable (35.6%). The majority of unpreservable tenancies were related to a lack of sufficient rental funds (62.5%). In other words, nearly two-thirds of the 275 unpreservable tenancies were simply situations where the tenant could not afford the rent. However, 28.7% of consultations were deemed unpreservable as a result of an agreement to vacate or an eviction being ordered. While some of these situations may have represented preservable tenancies if TPP had been involved earlier, once the order is signed, TPP is unable to reverse the decision and therefore work with the tenants on a consultation basis. Finally, a relatively small number of unpreservable tenancies are the result of building condemnation or foreclosure on the landlord.

In nearly one-fourth of situations, a consultation was started on an eligible tenant because the tenant was simply not interested or not willing to work with TPP (23.7%). When a tenant is resistant, TPP will not immediately open a case in order to reserve case slots for tenants who are motivated to avoid an eviction. However, in situations where the tenant is hesitant to work with TPP, TPP may feel compelled to provide assistance due to the nature of the case or the source of the referral. Other times, TPP will open a consult for an uninterested tenant when they believe the disinterest is directly related to the nature of the disability.

Similarly, 11.0% of consults were the result of the landlord's unwillingness to work with TPP. In these situations, TPP used the consultation time as a means to work with the landlord and establish a relationship. If TPP was successful in gaining the landlord's trust, a case was opened. If the landlord adamantly refused to work with TPP, the consultation consisted of providing advice and referrals to support the tenant through the eviction process.

In addition, 9.7% of tenants became consultations because they already had a caseworker or another type of case management service in place (e.g., DMH caseworker). In these situations, TPP used the consultation as a way to work closely with the agency or provider already involved with the tenant to help the service provider with the necessary resources, assistance, support, and referrals to preserve the tenancy. Finally, consultations also occurred when full caseloads precluded staff from opening additional cases and minimal services were provided while the tenant was on the waiting list (9.6%).

Despite being initially deemed ineligible and opened as consultations, 18.4% of consults eventually became cases. An additional 30.9%, through direct or indirect contact with TPP, resulted in preserved tenancies. And for the remaining 50.6% with less desirable or poor outcomes, if it weren't for consultation services, they would have received no assistance in "softening the blow" of their loss of housing. Furthermore, of the subset of consultations that were ineligible because the tenancy was considered unpreservable, 11.0% eventually became cases, 16.3% resulted in tenancy preservation or a move to more appropriate housing, and 17.0% avoided homelessness by moving into other housing. This suggests that even in those instances where eviction or homelessness seemed the likely outcome, TPP's intervention through consultation was a factor in avoiding a negative outcome nearly half of the time.

## Tenancy Preservation Program Cost

The total FY09 TPP budget was just under \$1.7 million. With those funds, TPP employed approximately 25 staff across the Commonwealth. While much of the recognized efforts of TPP focus on work with tenants who become cases, this report clearly establishes that the programs have a much greater reach. Not only do the programs serve TPP cases, but they also work with tenants on a consultation basis, as well as provide technical assistance and support to the court and other providers on matters related to housing but unrelated to the core mandate of TPP. The amount of effort expended on the latter is not quantified by any of the programs. As a result, considering the cost of implementing TPP is limited to case and consult services.

Over the course of FY09, TPP assisted 499 tenancies as cases and 649 tenancies through consultation services. Given that 19% of consults became cases (n=125), the actual number of unique tenancies assisted during FY09 was 1,023 (499 cases and 524 consults that did not become cases).

On average, programs spent approximately 71% of documented time serving cases and 29% of time serving consults. If the overall budget were allocated using these proportions, TPP spent approximately \$1,186,130 serving cases in FY09 and \$484,475 serving consults during the same period. Using these budget figures, the cost per case (case budget/number cases) was \$2,377 and the cost per consult (consult budget/number consults) was \$925.

Cost per case did not vary by the householder's gender. However, among all cases, households without children were significantly more costly than those with children. Furthermore, cost per case was significantly higher among householders who primarily speak a language other than English. This may be related to the need for translation services driving up effort and expense.

In terms of the three severity measures, householders with a history of homelessness and those with multiple disabilities are no more expensive to serve than those who have never been homeless or who have a single disability. However, tenancies that were at risk for lease violations other than non-payment of rent or utilities were significantly more expensive to serve than cases where non-payment was an issue. In other words, tenancies at-risk due to behavioral issues required more effort than non-payment cases, and therefore were more costly.

Eviction, whether or not it results in homelessness, is costly to tenants, landlords, and communities. Tenants experience the disruption and instability associated with the eviction, and they may incur costs related to moving and loss of property. Tenants of subsidized housing risk losing a scarce affordable housing option; this is of particular concern for a majority of TPP cases and consults. Landlords are saddled with the cost of the eviction, court filing fees, attorneys' fees, sheriff's fees, lost work days for court hearings, moving costs, and storage costs for belongings, as well as any repairs and vacancy costs of the rental unit. Communities and governments support the judicial system, as well as the public resources required for emergency assistance.

The characteristics of the TPP population and their risk factors for homelessness suggest that:

- Without intervention, this group is at high risk of eviction.
- For nearly 85% of cases and 56% of consults, an eviction is likely to result in an immediate loss of subsidy or, at minimum, jeopardizes the long-term security of the subsidy.
- Loss of subsidy creates a substantial barrier to rapid re-housing.
- Barriers to rapid re-housing often result in the need for emergency shelter or, when that is not an option, extremely unstable or unsafe housing (e.g., couch surfing, overcrowded living situations, substandard housing, on-the-street homelessness).

Considering that one's inability to access affordable housing is a primary predictor of homelessness and that research suggests housing subsidies are a key factor in reducing and ending homelessness for families, the loss of a housing subsidy certainly contributes to the probability of relying on unstable housing or becoming homeless.

According to the Report of the Special Commission Relative to Ending Homelessness in the Commonwealth, in 2007, DTA provided shelter to 5,000 families, representing roughly 5,000 adults and 10,000 children at an average cost of \$98 per night.<sup>i</sup> Culhane's research using DTA records documented average family shelter stays ranging from 105 days for temporary shelter users to 444 days among long-stay shelter users, resulting in costs of \$11,550 for the shortest-term users and nearly \$50,000 for the long-term users.<sup>ii</sup>

Of the 499 FY09 TPP cases, 237 were families. This amounts to approximately 48% of the FY09 TPP case budget spent serving families (\$569,342). At a cost of \$110 per shelter night, \$569,342 purchases a total of 5,176 family shelter nights. In other words, the case budget spent serving families is equal to sheltering 49 temporary use families for an average of 105 nights or 12 longer-term shelter families for an average of 444 nights.<sup>iii</sup>

Of the 237 families served in FY09, 165 were closed cases as of the end of the fiscal year. At a cost of \$2,130 per family, TPP was able to stabilize housing for 143 of the 165 families served. This equals housing stabilization for nearly 87% of families served.

The Special Commission's Report further documented that an estimated 24,000 individuals are homeless annually in Massachusetts and that providing shelter to a single homeless adult costs an average of \$1,000 per month (\$32 per night) on average. The Commission noted that this amount does not include any case management or other services that a shelter program provides, nor does it include the high costs of health related expenses.

Of the 262 tenants without children served in FY09, 184 were closed cases as of the end of the fiscal year. At a cost of \$2,593 per household without children, TPP was able to stabilize 149 of the 184 tenants served. This equals housing stabilization for 81% of tenants without children.

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<sup>i</sup> Report of the Special Commission Relative to Ending Homelessness in the Commonwealth. (2007, December). Retrieved from <http://www.mass.gov/Ehed/docs/dhcd/hc/finalreport2008.doc>

<sup>ii</sup> Culhane, D. P., Metraux, S., Park, J. M., Schretzman, M., & Valente, J. (2007). "Testing a Typology of Family Homelessness Based on Patterns of Public Shelter Utilization in Four US Jurisdictions: Implications for Policy and Program Planning" *Housing Policy Debate* 18.1 (2007): 1-28.

<sup>iii</sup> Calculations based on \$110 per night for family shelter as documented in Culhane's "Testing a Typology of Family Homelessness Based on Patterns of Public Shelter Utilization in Four US Jurisdictions: Implications for Policy and Program Planning."

## Conclusion and Recommendations

### **The need for TPP services is greater than program capacity.**

- The 2007 American Community Survey estimates that 11.4% of adults aged 21 to 64 years in Massachusetts have a disability. Even excluding the elderly and having a more conservative definition of disability than used for TPP, if this percent were applied to the number of disposed eviction cases (FY08 = 23,441), then it is possible that nearly 2,600 eviction cases could be eligible for TPP services. By comparison, TPP was able to serve 499 cases in FY09.
- Five of the six programs had a waiting list for services during all or some part of FY09.
- During FY09, TPP opened 652 consultations. In general, consultation occurs when TPP workers are unable to open a case. In some situations, caseloads preclude staff from opening an additional case and minimal services are provided while the tenant is on the waiting list. In other situations, tenants do not meet program eligibility criteria, but TPP workers feel duty-bound to provide assistance due to the nature of the circumstances or until eligibility can be established. Regardless, the frequency of requests for assistance and the nature of the consultations speak directly to existing gaps in services. In addition to issues of staff capacity, the nature of consultations indicate the following service gaps, including the lack of:
  - housing search and placement services for those eligible tenants who first come to TPP when preserving the tenancy is no longer an option.
  - services for tenants experiencing extremely tragic circumstances, but lacking a disability that would trigger the use of reasonable accommodation. Due to the current economic climate and increasing frequency of foreclosures among landlords, requests for assistance of this nature appear to be on the rise.
  - capacity to address the “early warning” referrals coming directly from landlords, management companies, housing authorities, and community agencies that are increasingly contacting TPP at the first sign of a troubled tenancy.
  - expertise among frontline case workers in Massachusetts who lack the knowledge or experience necessary to assist clients facing eviction.
  - services for homeowners facing foreclosure.

### **Several significant inconsistencies exist across programs that may result in unequal access to TPP services. Specific inconsistencies that merit consideration and possible modification include:**

- Eligibility criteria related to preservability with particular attention to issues of tenant and landlord willingness to engage with TPP
- Identification by the court of TPP at the beginning of Summary Process sessions
- Protocols for managing eligible wait listed tenants with particular focus on the role of consultations
- Practices related to caseloads and case duration with a particular focus on the role of consultations

### **Demonstrating TPP’s effectiveness in achieving outcomes that result in a significant return on investment requires a better understanding of evictions in the Commonwealth. To that end, the SSC should explore strategies for tracking evictions, including:**

- The number of evictions, the characteristics of those evicted, and the consequences of eviction