

Protect Homeless Children at Imminent Risk of Having to Stay in Unsafe Places!

Require DHCD to Provide Shelter to Homeless Families at “Imminent Risk of Staying in Places Not Meant for Human Habitation”

by Amending Line Item 7004-0101 in the FY 2013 Budget

The Problem: The Dept. of Housing & Community Development (DHCD) recently amended the regulations governing which families are eligible for emergency assistance (EA) shelter to make many families ineligible for shelter unless and until their children have first slept in places “not meant for human habitation.” As a result, many homeless families are now being denied shelter and have to sleep in cars, emergency rooms, abandoned buildings, parks, and other unsafe or inappropriate places before they can get emergency shelter.

In October, many families, doctors, legislators, and others testified about these experiences at public hearings, and DHCD’s own data show that each week, families are placed in shelter only after they have first stayed in a place not meant for human habitation.

Yet, DHCD has refused to amend the regulations to cover those at “imminent risk of staying in places not meant for human habitation.”

The Solution: On January 14, 2013, the Governor filed a bill (H. 43) requesting supplemental funding for the Emergency Assistance (EA) line item, 7004-0101, which funds family shelter.

When the Legislature enacts this much-needed funding, it should also amend the line item to require DHCD to provide shelter to families at “imminent risk of sleeping in places not meant for human habitation.” In addition, language should be added clarifying that families who have had to stay in 3 or more places within 30 days or whose time in a non-Emergency Assistance shelter is up qualify for shelter due to an “irregular housing” situation. (See over).

The Cost: This amendment to the line item will not materially add to the overall cost of EA because these families are already eligible for shelter after they stay in places not meant for human habitation. This amendment means only that they will get into shelter a day or two earlier than otherwise and avoid the trauma and threats to their health and safety that come from staying in places not meant for human habitation.

ACT NOW!

Ask Your State Representatives and Senators to Ask House and Senate Leadership to Use the Pending Supplemental Budget to Amend the Emergency Assistance Family Shelter Line Item 7004-0101 to Require DHCD to Provide Shelter to Homeless Children and Families at Imminent Risk of Staying in Places Not Meant for Human Habitation! Don’t Leave More Children Out in the Cold this Winter!

For more information, contact: The Massachusetts Law Reform Institute 617-357-0700 (Ruth Bourquin ext. 333 or rbourquin@mlri.org), the Massachusetts Coalition for the Homeless 781-595-7570 (Kelly Turley ext. 17 or Kelly@mahomeless.org) or Greater Boston Legal Services 617-371-1234 (Steve Valero 617-603-1654 or svalero@gbls.org).
January 14, 2013

**Proposals for Amending EA Line Item to Protect Vulnerable Families
January 14, 2013**

1. **Imminent Risk Language – Amending Clause (iv) of the EA line item to read (new language in all caps):**

“(iv) families who are in a housing situation where they are not the primary leaseholder or who are in OR AT IMMINENT RISK OF BEING IN a housing situation not meant for human habitation and where there is OR WOULD BE a substantial health and safety risk to the family that is likely to result in significant harm should the family remain in OR ENTER such housing situation;”

2. **Additional Language to Clarify Current DHCD Rules Defining “Irregular Housing”:**

"provided further, that families who have stayed in three or more housing situations within the past 30 days or have spent one or more nights in an emergency shelter situation not funded by this item and who can no longer stay in any of said housing or emergency shelter situations shall be deemed to be in a housing situation not meant for human habitation where there is a substantial health and safety risk to the family that is likely to result in significant harm should the family remain in such housing situation pursuant to subsection (iv) of this item;"

WATCH THE 13 - MINUTE VIDEO “GIVE THEM SHELTER” FROM MASSACHUSETTS

LAW REFORM: <http://youtu.be/cFgeTsHJ-Yw> .

Send the link to your state legislators as part of your request to amend the EA Line Item 7004-0101 to protect the safety net for families with children experiencing homelessness. Thank you!