



Prevention Strategies

Welcome and Introduction

Facilitator

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HUD Presenter

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Presenters

Emily Cooper, Technical Assistance Collaborative

Rob Fields, Housing Court, Western Massachusetts Division

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2

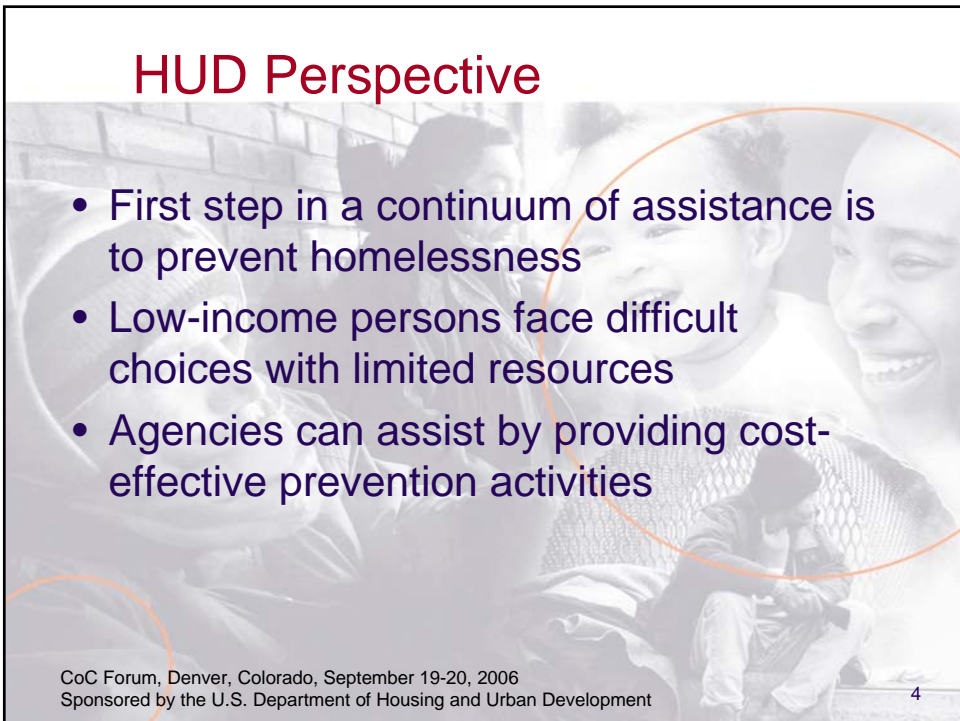


Lora Routt
Director of State Assistance Division
Office of Special Needs
Assistance Programs

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3

HUD Perspective



- First step in a continuum of assistance is to prevent homelessness
- Low-income persons face difficult choices with limited resources
- Agencies can assist by providing cost-effective prevention activities

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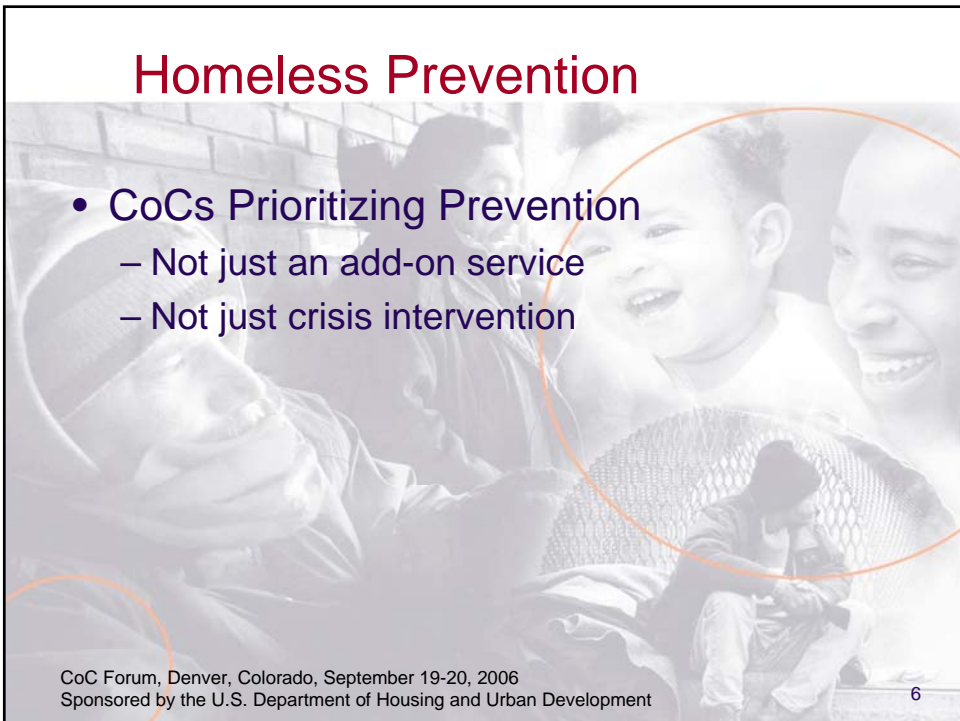
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Emily Cooper
Technical Assistance Collaborative
Boston, MA

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5



Homeless Prevention

- **CoCs Prioritizing Prevention**
 - Not just an add-on service
 - Not just crisis intervention

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6

Types of Prevention

- Emergency Homeless Prevention
- Preventative Services/Housing Stabilization
- Creation of/Linkage to Affordable Housing*

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7

Emergency Homeless Prevention

- Hotline
- Revolving Loan Funds
- One-time emergency grants
- Utility Company interventions
- Police as outreach
- Landlord-tenant mediations
- No wrong door access
- Payee services for rent payment
- Crisis intervention (medical, mental health)
- Discharge Planning interventions
- Eviction counseling/prevention
- Court-involved tenancy preservation

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8

Preventative Services/Housing Stabilization

- Financial literacy programming for tenants
- Third party payee for rent
- Education and support for landlords
- Job Link/Direct employment including enterprise development and job creation
- Tenant counseling
- Links to Mainstream Resources (SSI, TANF, Medicaid)
- Links to community based services (health care, mental health etc.)
- Home based support services that enhance tenancy stabilizations

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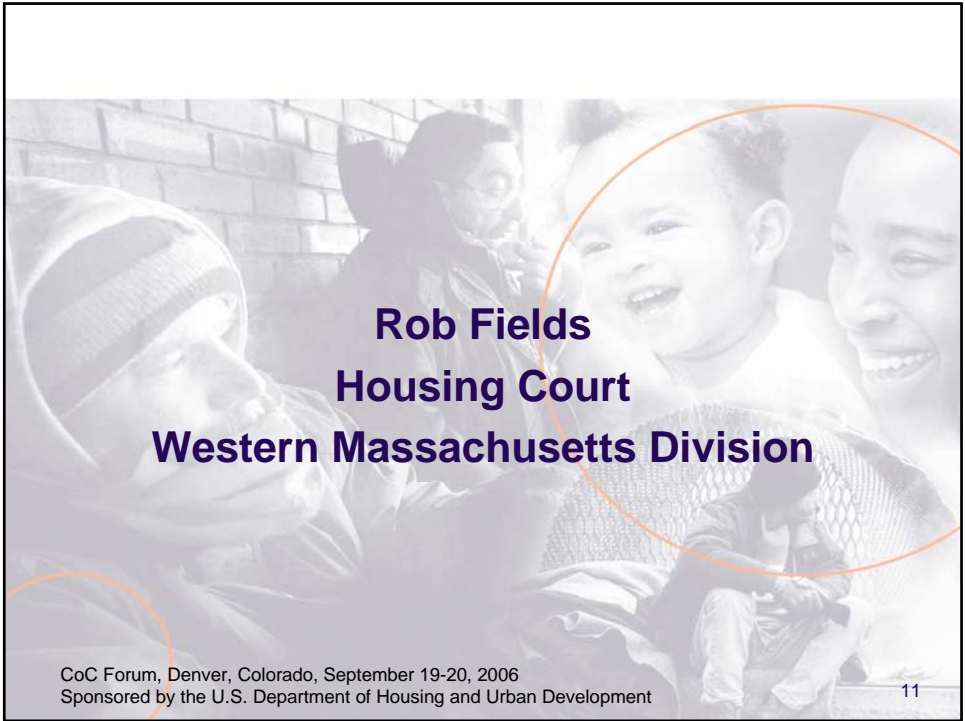
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Spectrum of Prevention Services

- Weigh all options
- Determine what works best for your community
- Look at available funding opportunities

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10



Rob Fields
Housing Court
Western Massachusetts Division

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11



Tenancy Preservation Program

A homelessness prevention
initiative for tenants with mental
disabilities and/or substance
abuse in Massachusetts

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12

The Housing Court in Massachusetts

- Specialty court focused on cases involving residential housing
 - Evictions
 - Code Enforcement
 - Affirmative Housing Conditions
 - Zoning
 - Civil Rights: Housing Discrimination
 - Torts: Personal Injury

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Housing Court Western Division

- One of five divisions of the Housing Court Department
- Largest geographical jurisdiction
- Serves four counties of Western Massachusetts
- Circuit-riding
- Over 100 cities and towns

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14

Housing Court Western Division

- 10,000 new cases each year
- 5,000 new evictions each year
 - Approximately 90% unrepresented by an attorney
- 300 evictions each year involving tenants with mental illness and/or substance abuse and/or age-related impairments

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Fair Housing Laws

- State and Federal Anti-discrimination laws that protect disabled tenants from being evicted for behavior associated with that disability if that disability can be reasonably accommodated.

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16

Fair Housing Laws

- A disabled tenant is protected if she can:
 - Prove she has a disability
 - Prove that the behavior underlying the eviction is related to that disability
 - Proffer an accommodation which would allow her to continue to reside in that tenancy

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17

Reasonable Accommodations

- Postpone the eviction to allow time for assessment and linkage to supportive services
- Institute measures to maintain a safe “status quo” while the postponement is in effect
- Order the landlord/management company to make a change in a policy
 - e.g., change to no pet rule
 - e.g., allow personal care attendant to reside on premises
 - relocate tenant to more suitable apartment

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18

Tenancy Preservation Program

- The Tenancy Preservation Program (TPP) is a homelessness prevention program.
- TPP works with tenants, including families, facing eviction as result of behavior related to a disability (e.g. mental illness, mental retardation, substance abuse, aging-related impairments).
- TPP functions as a *neutral* party in an eviction proceeding.
- In consultation with the Housing Court, TPP works with property owners/management and tenants to determine whether the disability can be reasonably accommodated and the tenancy preserved.

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19

Tenancy Preservation Program

- **Neutral**
 - Not an advocate for a party in the dispute
 - Report the status of tenant's compliance with service plan
- **Consultant**
 - Advise the court what should/could/will work in a given situation
 - Help devise a *reasonable accommodation*

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20

Tenancy Preservation Program

- Assess
- Link
- Report

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21

Tenancy Preservation Program Agreement

1. The Tenancy Preservation Program (TPP) is a program of the Mental Health Association of Greater Springfield which is a private, non-profit agency. **TPP will evaluate the factors and circumstances that have led to a situation where your tenancy is at risk and will arrange appropriate services to resolve the issues** in a manner that takes into account the interests and needs of both you and the landlord.

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22

Tenancy Preservation Program Agreement

2. The goal of TPP is to help you **preserve your tenancy** or, if that is not possible, to refer you to appropriate agencies or services that can assist you to find other housing.

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23

Tenancy Preservation Program Agreement

3. Participation in TPP is voluntary and you can terminate your participation at any time. But, if you have been referred to TPP by the Court, it is important to understand that **a decision not to participate may impact** on the outcome of your eviction case, depending on the nature of the landlord's case and your defenses.

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24

Tenancy Preservation Program Agreement

4. **TPP will investigate and evaluate your circumstances and situation** including factors that may have contributed to the current issues regarding your tenancy. This may include **contact with the landlord.**

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Tenancy Preservation Program Agreement

5. **TPP will develop a plan designed to prevent the problems in the tenancy from recurring.** Dependant upon TPP's assessment of the situation, **this may involve your participation in supportive services**, the landlord's agreement to make certain adjustments to the way it does things, or a combination of both. TPP will seek and consider your input regarding an appropriate plan.

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26

Tenancy Preservation Program Agreement

6. TPP will require releases to enable it to speak with other persons or agencies with information about the situation, including, where appropriate, your doctors or other health care or social service providers. Unless ordered by the Court, TPP will not divulge any information received from such sources to others without your permission, except to the extent that TPP may provide information about the plan to preserve your tenancy as set out in paragraph 7 above and may report on your compliance with the plan as set out in paragraph 9 below.

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Tenancy Preservation Program Agreement

7. After the plan has been developed with your input, you will be asked to sign it. TPP will advise your landlord that a plan has been devised and agreed upon. If the case is in Court, **TPP will also report to the Court. In some situations, it may be necessary to share some details of your plan with the landlord or the court.** TPP, in the exercise of its discretion, will decide if this is appropriate and will tell you before it does so.

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28

Tenancy Preservation Program Agreement

8. Depending upon the nature of the plan and your housing situation, **TPP may monitor implementation of the plan for a period of time to ensure that it is working and to make adjustments as needed. If the case is in Court, TPP's continued involvement may be required until the case is finally closed by the Court.** TPP will notify you when it is ending its involvement with your case.

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29

Tenancy Preservation Program Agreement

9. If you encounter problems complying with any aspect of a plan TPP has devised for you, you must contact TPP and TPP will work with you to resolve the problem. If TPP discovers a problem with your compliance, TPP will contact you and try to work with you to resolve the problem and keep the plan in place and on track.

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Tenancy Preservation Program Agreement

10. If TPP concludes that you have engaged in a substantial breach of your obligations under the plan which significantly jeopardize the long-term success of the plan, TPP may be required to report this information to the Court, if the case is under Court monitoring.

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Tenancy Preservation Program Agreement

11. If you decide that you no longer want TPP to assist you, you must notify TPP and TPP will ask you to sign a notice terminating their services. In situations where TPP has notified the Court or the landlord that it is assisting you, **TPP may have to report that it is no longer involved with your case.** When TPP reports such information, it will do so in a way that will have as little adverse effect on your position as possible, consistent with its obligation to be truthful.

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Tenancy Preservation Program

- Homelessness prevented: 83% of cases
- Average cost per case: under \$3,000
- Savings since FY03: over \$6,000,000

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Integrate the court into the communities its serves

- Port of entry for safety net
- Streamline red tape
- Specially fund court-related intervention
- Invite court to the table

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34