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January 15, 2025

The Honorable Karen E. Spilka
State House, Room 332
Boston, MA 02133

The Honorable Ronald Mariano
State House, Room 356
Boston, MA 02133

The Honorable Michael J. Rodrigues
Chair, Senate Committee on Ways and Means
State House, Room 212
Boston, MA 02133

The Honorable Aaron Michlewitz
Chair, House Committee on Ways and Means
State House, Room 243
Boston, MA 02133

Senate President Spilka, Speaker Mariano, Chairs and Members of the House and Senate,

I am proposing for your consideration additional changes to the Emergency Assistance Shelter System to be included in the supplemental budget pending with the Legislature.

Since the beginning of the Healey-Driscoll Administration, we have worked in partnership with the Legislature and in the face of heightened demand and limited resources to serve homeless families, including Massachusetts residents and those new to our state. As you know, the Emergency Assistance Shelter System was established in 1983 as the Right to Shelter Law. Its purpose was to provide “a program of emergency assistance to needy families with children and pregnant women with no other children.”

I have evaluated the Right to Shelter Law and regulations as well as the operational burdens on the system. Based on that review, and in the face of continued inaction by Congress and no

assistance from the federal government, I believe these changes are appropriate and needed to ensure the long-term sustainability of the state shelter system in a way that aligns with the original intent of the law. In addition, my proposed changes will allow us to continue to ensure the safety of our system, support cities and towns in addressing the needs of unhoused families in their communities and put us on the path toward a more fiscally sustainable Emergency Assistance shelter system in Fiscal Year 2026 and beyond.

To that end, I recommend the following changes to the current system requirements below:

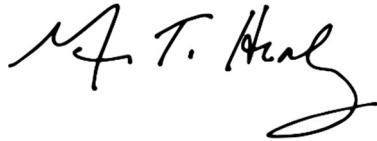
	Current Requirement	Proposed Change
Eviction Eligibility Criteria	Under the line item, families may be eligible for shelter based on several types of no-fault eviction, but without geographic limitation. As a result, people who have been evicted in other states may come to Massachusetts for shelter. This would eliminate the scenario where a Rhode Island eviction leads to an individual coming to Massachusetts to seek EA shelter benefits.	The Administration proposes requiring evictions to occur in Massachusetts to support eligibility.
Housing Situation Meant for Human Habitation Eligibility Criteria	Under the line item, families may be eligible if they are 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 [there].” Again, there has been no geographic limitation, which has led to residents from other states coming to Massachusetts and qualifying for shelter under this criteria.	The Administration proposes requiring the housing situation “not meant for . . . habitation” to be based in Massachusetts to support eligibility. This would more narrowly tailor the right to shelter to Massachusetts residents.
Presumptive Eligibility	Under the line item, families must be placed in EA based on their self-attestation that they meet eligibility requirements. They do not need to provide upfront documentation. After being placed, a family is required to demonstrate proof.	The Administration proposes adjusting presumptive eligibility. Instead, EOHLC would be required to verify identity, residency, and other statutory/regulatory eligibility criteria prior to placement. EOHLC would provide by

	In practice, this allows families to receive shelter benefits for a period of time without providing verifiable documentation, and based solely on self-attestations.	regulation for discretionary waivers based on exigent circumstances (<i>i.e.</i> , domestic violence, fire, flood).
Residency Requirement	By regulation, all members of a household must be residents of Massachusetts. Residency in the state may be proven solely through self-attestation.	The Administration proposes requiring in the line item that all members of the household must be residents of Massachusetts, and that anyone receiving EA show an intent to remain in Massachusetts, which may be shown either through independent documentary verification of an intent to remain in Massachusetts, or through three months of physical presence in the state.
Loss of Eligibility Based on Excess Income	Under the line item, families must be at 115% of Federal Poverty Limit (FPL) in order to qualify for benefits, and may lose benefits if they exceed 200% percent of FPL for 6 months. Should the maximum length of stay be shortened to six months, as Governor Healey has proposed, this period would need to be shortened as well.	The Administration proposes that families will be ineligible in instances where their income exceeds 200% of FPL for three months.
Lawful Status	By regulation, one individual in the household must demonstrate that they are either a U.S. Citizen, a lawful permanent resident, or are here under the color of law.	The Administration proposes requiring that all individuals demonstrate that they are a U.S. Citizen, a lawful permanent resident, or are here under the color of law, with the exception of households that include children who are U.S. citizens or lawful permanent residents.
Mandatory Transfer Rule	HLC is required to place a family within 20 miles of the household's home community, at the earliest possible date unless requested otherwise.	The Administration proposes removing the mandatory 20 mile requirement. However, HLC will still make best efforts to place within 20 miles if practicable.

Criminal Convictions	In current application materials, applicants are required to disclose criminal convictions if pertinent to a recent eviction that caused homelessness. The line item does not address criminal background checks.	The Administration proposes that adult applicants will be required to disclose criminal convictions in Massachusetts and elsewhere. The Administration also proposes to codify HLC's policy to obtain CORI checks prior to placement.
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Thank you for your consideration of these recommendations. Our administration is happy to discuss and provide any further information as may be helpful.

Respectfully Submitted,



Maura T. Healey
Governor