

# CIVIL LEGAL AID SUPPORTS FEDERAL EFFORTS TO HELP PEOPLE EXIT HOMELESSNESS AND STAY HOUSED

## THE NEED

On a single night in January 2013, more than 610,000 people were experiencing homelessness. Among them were more than 57,000 veterans. Fifteen percent were in families, and over a third were unsheltered—sleeping on the streets, in abandoned buildings, in cars, or in other places not meant for human habitation. A single night, however, fails to capture the magnitude of America's homelessness crisis as many more people experience homelessness over the course of a year.

While some people in America experience homelessness, others struggle to hold on to their homes. The situation has been exacerbated by the recent economic recession and foreclosure crisis, fallout from a housing bubble that, by some measures, had doubled home prices in a period of six years. By January 2009, home values had fallen by nearly one-third, and millions of American families were struggling to keep their homes. Exploiting the situation, foreclosure-rescue and mortgage-modification scammers prey on struggling homeowners by making promises they can't keep, such as guaranteeing to "save" a home or lower the mortgage, usually for a fee, and often pretending that they have direct contact with the mortgage servicer when they do not. Despite real progress in the economy and housing market, more work needs to be done to avoid these pitfalls and find adequate and safe housing for those who need it most.

## EXAMPLES OF THE FEDERAL RESPONSE

In 2010, the U.S. Interagency Council on Homelessness (USICH) and its 19 member agencies released [Opening Doors](#), the nation's first Federal comprehensive strategic plan to prevent and end homelessness. Since the launch of *Opening Doors*, the number of families experiencing homelessness has decreased by eight percent, the number of people experiencing chronic homelessness has decreased by 16 percent, and Veterans experiencing homelessness has decreased by 24 percent. These improvements are due to investments and partnerships across the Federal Government, States, municipalities, and the private sector. For example, the U.S. Department of Housing and Urban Development (HUD) Emergency Solutions Grant program assists individuals and families in quickly regaining stability in permanent housing after experiencing a housing crisis or homelessness, and its funds support street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, and data collection.

President Barack Obama's and the U.S. Department of Veterans Affairs (VA) Secretary Eric Shinseki's 2009 announcement of their goal to end veteran homelessness by the end of 2015 included an array of programs, such as Supportive Services for Veteran Families (SSVF), which provides a range of services designed to promote housing stability, and the HUD-VA Supportive Housing program (HUD-VASH), which is a joint program of HUD and VA to target HUD assistance to chronically homeless veterans.

Many programs provide services to youth and their families experiencing homelessness, including the U.S. Department of Agriculture's (USDA) Supplemental Nutrition Assistance Program (SNAP) and the U.S. Department of Education's Education for Homeless Children and Youths Grants.

At the center of the Administration's response to the unprecedented foreclosure crisis is the Making Home Affordable Program (MHA), a joint effort of the U.S. Department of the Treasury and HUD designed to stabilize housing markets by providing affordable refinance and modification opportunities for at-risk borrowers. One of MHA's programs - the Home Affordable Modification Program (HAMP)—has helped more than 1.3 million homeowners save an average of over \$500 on their mortgage payments.



*2/3 of low income tenants receiving full legal representation in eviction cases stayed in their homes as compared to 1/3 of unrepresented tenants. Represented tenants also received almost 5 TIMES the financial benefit, such as damages or cancellation of past due rent, as those without full representation.*

Boston Bar Association Task Force on the Civil Right to Counsel,  
*The Importance of Representation in Eviction Cases and Homelessness Prevention 2* (2012)



# “ ” HOUSING COUNSELING AND LEGAL AID...

## PROVIDE VITAL ASSISTANCE TO STRUGGLING HOMEOWNERS

~ SECRETARY SHAUN DONOVAN

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Statement on Florida's Decision to Invest Settlement Funding in Housing Counseling and Legal Aid (June 4, 2013)

### Legal Aid Helps

- **Assist youth and families in finding stable, safe living environments** by connecting them with appropriate services, government benefits, and housing assistance.
- **Empower veterans** by helping them obtain and retain permanent housing, employment, and benefits through programs such as HUD-VASH and SSVF.
- **Remove or mitigate criminal record and credit history** obstacles to permanent housing.
- **Enroll families experiencing homelessness** without mailing addresses into SNAP and other benefits programs.
- **Expedite school enrollment** for children and youth experiencing homelessness.
- **Prevent unlawful evictions** of tenants in government-subsidized housing, private housing, or foreclosure properties, and landlords taking advantage of post-disaster conditions.
- **Educate, advise, and represent families in foreclosure proceedings**, to help secure fair and just outcomes.
- **Protect homeowners** from fraudulent “rescue scams,” in which private companies falsely promise to reverse mortgages, repair credit, or provide legal assistance by helping to educate the community about these scams or representing homeowners in actions filed in local courts.
- **Assist homeowners burdened by high interest rates and late fees in avoiding foreclosure** by negotiating with lenders to modify mortgages, or giving a family time to find alternative housing.
- **Pursue negligent lenders** who mishandle documentation and fail to provide sufficient notice to tenants and homeowners without ever facing legal consequences.

### Lawyer accesses mental health services to prevent homelessness

“Frank,” a disabled man living in USDA-subsidized housing in rural Iowa, received an eviction notice from his landlord after neighbors complained that he yelled too much, especially late at night. Attempts by the property manager to talk to Frank about the problem only made it worse. Fearing that he would become homeless, Frank sought help from Iowa Legal Aid. With support from the HUD Emergency Solutions Grant, Iowa Legal Aid could assist him. Frank’s lawyer realized that his disruptive behavior flowed from untreated mental illness. She met with his property manager and reached out to other professionals to help Frank manage his mental illness. They collaborated on a plan to address the problems and involve his case manager as an intermediary if an issue arose. The property manager agreed to dismiss the eviction, and Frank remained in his home.

### Mortgage modification saves senior’s home

The LSC-funded Atlanta Legal Aid Society Home Defense Project assists homeowners with HAMP, a program meant to lower working people’s monthly mortgage payments so that they do not fall behind and into foreclosure. “Mrs. Benson” was paying 86 percent of her monthly Social Security benefits on her first mortgage, and the terms of her second mortgage were extremely burdensome. She turned to Atlanta Legal Aid when her payments became impossible and foreclosure was imminent. Mrs. Benson’s attorney renegotiated the payment terms of the first mortgage and got the second mortgage cancelled, successfully avoiding a foreclosure sale and settling with her bank. The result: legal aid saved Mrs. Benson’s home and avoided costly and burdensome litigation.

