



HEALTH, EDUCATION AND LEGAL ASSISTANCE PROJECT: A MEDICAL-LEGAL PARTNERSHIP (HELP: MLP) AT WIDENER UNIVERSITY - DELAWARE LAW SCHOOL

THE FOUNDATION FOR DELAWARE COUNTY
HEALTHY START & NURSE-FAMILY PARTNERSHIP

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**Written Testimony of Jordan Casey on
“Barriers to getting and staying housed”
Staff attorney at the Health, Education and Legal assistance Project: A
Medical-Legal Partnership (HELP: MLP) at Widener University – Delaware
Law School and The Foundation for Delaware County**

Dear Honorable Members of the Senate:

Policy Committee Chairwoman Muth, Senator Kearney, and Senator Saval, thank you for the opportunity to offer testimony before this committee on the “barriers to getting and staying housed”.

My name is Jordan Casey, I am a staff attorney with the Health, Education and Legal assistance Project: A Medical-Legal Partnership at Widener University Delaware Law School (HELP: MLP). HELP: MLP provides free civil legal services to individuals in the Foundation for Delaware County’s (TFDC) Healthy Start and Nurse-Family Partnership programs. In addition to my direct service work, I also have the pleasure of serving on the Affordable Housing Advisory Council of the Federal Home Loan Bank of Pittsburgh, as Vice President of the Board of Directors for the Housing Equality Center of Pennsylvania, and several other local and state coalitions/boards which all serve to address various housing related issues. My position on this issue is benefited by my ability to work and serve in a whole person treatment delivery model. By interacting with clients on housing issues I have come to understand that the barriers to getting and staying housed are multidimensional, interconnected, and deeply complex.

As I stated above, HELP: MLP provides free civil legal services to individuals to improve overall health and well-being. While our partners address the more traditional health care concerns, as lawyers we address, the multitude of social determinants of health that impact our clients. Social determinants of health are often the root causes of ill health and the key contributors of health inequalities, according to public health practitioners. Owing to a lack of resources, 80% of poor people's civil legal needs go unmet, causing excessive stress and other stresses that have a negative effect on their wellbeing. HELP: MLP uses legal representation to resolve the social determinants of health that affect low-income communities. By treating the social determinants of health concerns, clients can reduce some of those external stressors that are negatively impacting their physical and emotional well-being. We have found and others will confirm that one of the biggest

and most important social determinants of health is the access to consistent, stable, habitable, and affordable housing. Unfortunately, because of the complexities involved with housing issues many are not equipped to work through them on their own, which makes this housing dream is out of reach for many.

It is important to begin by dispelling the common belief that the barriers to obtaining and maintain housing are mostly binary. Many have a tendency to whittle down the problem to affordability and nothing else; someone can either afford to pay the rent or they can't. Therefore, those who can afford the rent will be housed securely, while those who cannot, may suffer housing insecurity. While housing affordability is incredibly important, there is much more to a renters' tenancy stability than simply cost. A number of factors such as physical conditions, overcrowding, built environment, slumlords, and forced evictions all contribute to instability. These problems all combine and manifest differently based on the facts and circumstances related to each individual household. However, all of the end results have a familiar pattern, people end up either evicted and/or homeless or severely underhoused in poorly maintained properties.

Many policies and practices also impact housing stability, examples include the lack of source of income protections, the lack of lead safe housing protections, racial discrimination, and steering. All these examples are overarching policy and practices that severely impede an individual's ability to access and maintain housing. To address these barriers properly we must work to cure the problems, not in isolation, but with a commitment to treat the whole circumstance that the person finds themselves. Because solving an affordability crisis alone will not create true housing stability where other significant issues are permitted to remain.

At HELP: MLP and TFDC we hear about and work within the interconnectedness of these barriers daily and witness the devastating impact it has on families. For example, Kimberly and her family lived in a old rowhome in Chester City, PA. The adjoining property was a burned shell that was left unrepaired from a previous fire. Kimberly had three young children and was pregnant with her fourth. The home suffered from several problems immediately when she moved in, but it was the only place she could rent due to her prior housing history. The landlord promised to make the repairs as soon as she moved in and she relied on those promises to her detriment. Like so many other families in the community, the rent was very high for her income. Kimberly was paying well over 60 percent of her income towards rent. This is not uncommon as landlords in lower income communities will often charge proportionately high rents. Despite the high rent, she tried to make the most of her bad situation.

As time went along the conditions in the property began to deteriorate even further. She made repeated attempts to contact her landlord who refused to respond to her complaints. Eventually, a leak formed in the roof from a broken pipe and failed roof. This hole in her ceiling poured water into the kitchen that she collected in a plastic tub and emptied daily. The constant moisture caused a thick coating of black mold to form on the drywall in the kitchen. Other conditions also fell into disrepair, broken windows, exposed electrical wiring, plumbing issues, a mice and insect infestation, etc. Ultimately, she made the desperate decision to send her three children to live with their father

(whom she had a limited relationship with) to protect them from the deplorable conditions in the property.

The children's father lived in a home where his co-occupants had a housing choice voucher. He was not on the voucher but had no home of his own, so the co-occupants took him in. The addition of the children into the house caused it to be severely overcrowded with several unauthorized occupants who were not allowed under the lease or voucher. These unauthorized occupants now placed the voucher holder's tenancy in jeopardy. The additional household members also caused the utility costs to increase exponentially which placed even more burden on the strained household finances.

Kimberly reached out several times to the emergency shelter provider for housing since her landlord abandoned the property. However, she was informed by the intake staff that she was not eligible for emergency shelter because she was not homeless. Kimberly was technically housed and not facing an eviction. I became involved in the case and was ultimately able to advocate that the client was indeed homeless due to the uninhabitable state of her property and she was given emergency shelter. Once she secured shelter, she was able to reunite with her children. From the stability provided by being in the shelter she was able to eventually obtain transitional housing. She found a safe and habitable home where she was able to thrive and care for her family.

This is just one of countless examples that illustrates how these multiple barriers are inextricable from one another. From this example, affordability was undoubtedly a clear problem for the family. Paying upwards of 50 percent of your income in rent qualifies you as being severely rent burdened by the Department of Housing and Urban Development. Kimberly was paying over 60 percent and yet she was still able to pay consistently. Still, by paying rent at that level meant that she had no room for error anywhere else in her budget or life. If any type of financial shock that occurred that would mean she would not have been able to cover the next month's rent and/or utility bills. Essentially, despite being able to pay she was operating on a thin line of stability immediately upon moving into the unit on day one.

When the habitability issues became worse the home became less affordable because her food expenses increased due to the inoperable and toxic kitchen. With her food expenses increased and the physical conditions deteriorating she moves the children. This further reduced her income because she now had to support her children at the other residence so as not to overburden an already struggling household that took them in. At this point she stopped paying rent due to an unresponsive landlord but was still unable to save money due to the new and additional expenses. With no ability to save she had no opportunity or chance to rent a new place. At this point there were now two households that were unstable, one due to overcrowding and unauthorized occupants, and the other due to a slumlord and hazardous physical conditions. Had the unauthorized occupants been discovered, the voucher holder at the other property would have been in jeopardy of having the lease and voucher terminated resulting in catastrophe for both families.

The emergency housing system designed to help families failed Kimberly and her children. Policy dictated that to obtain emergency shelter an individual needed to be homeless. Since she was not “homeless” she was unable to secure safety and stability through emergency shelter. Because she was technically housed and faced no threat of eviction, she was deemed ineligible for assistance. As a result, she remained in an uninhabitable toxic property without her children undoubtedly causing untold levels of physical and mental trauma to herself, her unborn baby, and her family. To remedy the situation, she needed a lawyer to advocate for her to be allowed entry into emergency shelter services. Without legal assistance she would have likely had to become itinerant relying on friends and family.

There are far too many individuals who share Kimberly’s story. Individuals who are working against multiple barriers and against all odds to access and maintain safe housing. It was evident that finding a solution to a singular problem would not have created much change for Kimberly. To solve the problem in the case example, the family had to resort to a physical move into emergency shelter. However, many of the problems remained behind them. The home was re-rented to another desperate individual who needed a place to stay despite the deplorable condition. The father of the children remained in the other home as an unauthorized occupant. So, while Kimberly found a way to breakthrough with the assistance of a lawyer after months of trying, others remained trapped unable to access safe and decent housing.

Lastly, the current COVID-19 pandemic has made our nations pervasive and deep housing crisis into a national nightmare that impacts rural, suburban, and urban communities alike. The current crisis has many dimensions, but it has exponentially exacerbated problems like those described above. Many landlords have abandoned repairs to property as they haven’t been paid rent. Self-help illegal evictions have increased. Overcrowding has increased as families have doubled and tripled up in homes accelerating the spread of the virus in poor communities. People have doubled up out of necessity as hours have been cut at jobs and they can no longer afford rent, others because of the need for childcare. Emergency housing services are at capacity and overwhelmed. Rental assistance programs have been slow and complicated creating frustration for landlords and tenants alike. Housing inspections have been waived leading to lingering issues in homes. Ultimately, the pandemic has made the multidimensional barriers related to accessing and maintaining housing even more burdensome. The impacts of which will likely be felt in our communities well past the “end” of the pandemic itself.

Now is the time to work to implement bold policies that are needed to ensure that people facing these barriers have access to consistent, stable, habitable, and affordable housing. The conversation about housing is long overdue and our current system is clearly broken. I encourage everyone to expand their concept of what impacts housing stability beyond what we typically consider. By doing so, we will be able to work towards a more equitable and just system that improves the outcomes for all vulnerable households in our state.

HELP: MLP and the Foundation for Delaware County welcomes the opportunity and looks forward to continuing to work with senators to advance and achieve the policies necessary to ensure that all Pennsylvanians have a place to call home regardless of income.

Thank you very much for the opportunity to submit this testimony. I look forward to your questions.

Respectfully,

A handwritten signature in blue ink, appearing to read "J. Casey", written in a cursive style.

Jordan A. Casey, Esq.