



MASSACHUSETTS COALITION FOR THE HOMELESS

Committed to ensuring that everyone has a place to call home

May 17, 2012

Looking Ahead to Fiscal Year 2013: The Senate Ways and Means Committee Has Released Its Budget Recommendations for the Upcoming Year

See below for a preliminary analysis and actions you can take to support housing, homelessness, and safety net programs!

Quick Links

- [Coalition's home page](#)
- [Senate Ways and Means FY'13 budget proposal](#)
- [PDF of SWM appropriation proposals](#)
- [Amendment fact sheet page](#)
- [House FY'13 budget proposal](#)
- [Coalition's budget priorities for FY'13](#)
- [Governor's FY'13 budget proposal](#)
- [Last week's FY'12 supplemental budget](#)
- [Overview of budget process](#)

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Dear friend,

Yesterday, the Senate's Committee on Ways and Means ("Senate Ways and Means" or "SWM") unveiled its fiscal year 2013 budget recommendations for the Commonwealth. This \$32.275 billion proposed budget marks the next step on the path to developing the final state budget for the fiscal year that will begin on July 1st.

The Senate Ways and Means budget proposal includes major eligibility restrictions and benefits reductions in the family shelter and short-term housing subsidy programs, while also including some much-needed renewed investments in long-term housing and homelessness prevention programs. It also includes an increase in local aid, over the House proposal.

Please see the sections below for an analysis of the SWM budget proposals for housing, shelter, homelessness prevention, and cash assistance programs, as well as preliminary information about known, relevant amendments.

As the Senate Ways and Means budget proposal is only the next of many proposals on the way to the final FY'13 budget, your voice will be critical in helping to protect housing, homelessness, and safety net programs for both families and individuals. **We are calling on you to weigh in with your State Senator today and in the week ahead, as Senate members file amendments to the SWM budget (due by this Friday afternoon), co-sponsor amendments, and debate the budget starting on Wednesday, May 23rd.**

To learn more about the Coalition's FY'13 budget priorities, please [click here](#).

The Senate Ways and Means Committee's FY'13 Budget Recommendations for Housing, Shelter, Homelessness Prevention, and Cash Assistance Programs

To access the Senate Ways and Means Committee's complete budget recommendations, please [click here](#).

A Quick Look at Selected Department of Housing and Community Development (DHCD) Line Items

1. **The Senate Ways and Means budget would decrease funding for the Emergency Assistance family shelter and services program (line item 7004-0101) from the current FY'12 appropriation level of \$137.5 million to \$96.7 million for FY'13.** SWM did not separate out spending for motels from the EA account, as proposed by House Ways and Means (via a new proposed line item, 7004-0103).

Areas of Concern:

Through the House 2 budget, the Administration proposed new limitations on categorical shelter eligibility for children and families who are experiencing homelessness. Similar language was adopted by the House and now by Senate Ways and Means Committee.

The Senate Ways and Means budget retains the general categories,

and only would expressly provide shelter to certain families that:

- Are at risk of domestic violence in their current housing situation
- Lost their housing due to fire, flood, or natural disaster
- "...through no fault of their own, have been subject to eviction from their most recent housing due to foreclosure, condemnation or nonpayment of rent caused by a significant increase in expenses due to a change in household composition or caused by a documented loss of income within the past 12 months directly as a result of loss of a job, reduction in hourly pay rate, employment hours or unemployment benefits, documented medical condition or diagnosed disability are homeless due to eviction from their most recent housing through no fault of the members of the family seeking shelter due to foreclosure or condemnation or nonpayment of rent or conduct by a guest or former household member who is not part of the household seeking emergency shelter or conduct attributable to a disability caused by a documented loss of income within the past 12 months directly as a result of a job loss or medical condition"
- Are not primary lease holders and are living in situations (such as a double-up situation) where there is a "substantial health and safety risk that is likely to result in a significant harm" if the families continue to stay there.

We believe that many thousands of children and families would be excluded from accessing the safety net of shelter if this new restrictive language is adopted. As written, DHCD could deny access to shelter to families that simply have been kicked out of double-up situations and have nowhere to go; families that previously fled a domestic violence situation and are no longer in imminent danger by the abuser, but have nowhere to stay; and families whose private housing always has been unaffordable and have struggled with chronic housing instability before now needing shelter.

Unlike last year, families falling outside of these four categories also would be barred from accessing HomeBASE assistance (see below).

SWM would require all families in shelter to put 30% of their income into a savings account. Under current regulations, families are required to set aside funds in a savings account, but good cause exceptions apply in certain cases when families are unable to meet this goal.

SWM did not include critical language that would require the Administration to give the Legislature 60 days advance notice before implementing any negative eligibility changes or benefits reductions in the line item. Instead, SWM proposes a shorter notice period of 30 days, which likely would be insufficient to allow the Legislature to take action to avoid such negative changes.

We are opposed to these proposed changes as we strongly believe that the EA program should provide immediate and ongoing shelter and services (including meaningful housing search services) to all families with nowhere else to go who meet the current eligibility standards. Simultaneously, we encourage the Commonwealth to redouble its efforts to quickly move families from shelter into permanent housing and, when possible, help families to avoid homelessness and shelter stays by providing timely housing assistance.

Notable Improvements Over the House Budget:

Fortunately, Senate Ways and Means rejected the idea of imposing an arbitrary time limit on the families who are eligible for shelter. The Governor proposed a strict 8-month time limit for shelter on families, while the final House budget proposal included a 9-month time limit. (SWM did, however, include language requiring that families in shelter for more than 32 weeks during FY'13 have an "executable shelter exit plan" to move families out of shelter into their own housing or another safe residence.)

SWM would require that all families in EA receive housing search assistance within 16 weeks of entry into a shelter or motel. This would be a positive change, as many families in motels never receive meaningful housing search assistance through the EA program. Senate Ways and Means also maintained key language from previous budgets, such as the 6-month grace period for families whose incomes exceed 115% of the federal poverty guidelines and placements pending verification for families lacking some of the requested documentation at the time of application.

FY'12 funding level: Currently, \$137.5 million (including the latest supplemental appropriation)

FY'13 House 2 funding level: \$100.4 million

FY'13 House funding level: \$105.5 million (combination of line items 7004-0101 and 7004-0103)

FY'13 SWM funding level: \$96.7 million

FY'13 MCH funding request: Level funding with FY'12 or adequate funding so as to avoid the need for eligibility changes

Amendments to Support: Senator Ken Donnelly of Arlington, Senator Jamie Eldridge of Acton, and Senator Karen Spilka of Framingham are filing two important EA amendments:

- o One amendment would eliminate the 4 narrow categories and maintain current eligibility rules. An alternative amendment would at least ensure shelter access for domestic violence survivors, those who were evicted for no fault reasons, and those whose children would otherwise have to sleep in places not meant for human habitation.
- o Both of the amendments also would restore the requirement for 60 days advance notice to the Legislature before new eligibility restrictions are imposed and maintain reasonable exceptions to the existing requirement that families in shelter save 30% of their income for housing.
- o [Click here](#) for a fact sheet.

2. The Senate Ways and Means budget would increase funding for the HomeBASE program (line item 7004-0108) to \$90.8 million. This program provides short-term transitional subsidies, diversion, and moving assistance for certain EA-eligible families.

Under this proposal, most of the FY'13 appropriation would be used to continue funding short-term housing subsidies for families enrolled in the program in FY'12 (including families transitioning from other short-term subsidy programs such as Flex Funds). No new families would be approved for ongoing rental subsidies in FY'13. (Currently, only families who entered EA shelter before October 28, 2011 or are in another short-term subsidy program are being approved for ongoing HomeBASE rental assistance.)

SWM would increase the maximum HomeBASE household assistance award. New applicants to the EA program would be eligible for up to \$6,000 in HomeBASE funds in a 12-month period to allow the family to avoid the need for shelter, and families already in shelter would be eligible to receive up to \$6,000 to exit shelter if they have not been in shelter for more than 32 weeks.

While the HomeBASE rental assistance component originally was designed as a three-year subsidy program, SWM, like the Governor and the House, would limit families to two years of assistance.

SWM, like the Governor, included negative language that would bar families who time out of HomeBASE from accessing resources through the EA or RAFT programs for 12 months.

Related to this line item, Senate Ways and Means did include important, desired language in the DHCD administrative account (7004-0099) that would require DHCD to promulgate regulations by September 1st to clarify that households in HomeBASE and other short-term subsidy programs shall retain any existing priorities for long-term affordable housing resources.

FY'12 funding level: Currently \$65.3 million (including the latest supplemental appropriation)

FY'13 House 2 funding level: \$83.4 million

FY'13 House funding level: \$83.4 million

FY'13 SWM funding level: \$90.8 million

FY'13 MCH funding request: Adequate funding to continue serving current participants and to be able to offer rental assistance, household assistance, and moving assistance to new families in FY'13.

Amendments to Support: Stay tuned for possible amendments to support.

3. The Senate Ways and Means budget would appropriate funding for the line item that provides funding for shelter and services for unaccompanied individuals at-risk and experiencing homelessness (line item 7004-0102) in the amount of \$38 million.

The proposed funding level of \$37.96 million is less than the amount recommended by the Governor.

FY'12 funding level: \$37.7 million

FY'13 House 2 funding level: \$38.9 million

FY'13 House funding level: \$38.0 million

FY'13 SWM funding level: \$38.0 million

FY'13 MCH funding request: \$38.9 million

Amendments to Support: Stay tuned for possible amendments to support.

4. The Senate Ways and Means budget would fund the Massachusetts Rental Voucher Program (MRVP, line item 7004-9024) at \$41 million, an increase from the FY'12 allocation of \$36 million but less than the Governor and House's recommendations of \$46 million.

The Coalition and other advocacy and provider groups, most notably the Housing Solutions Campaign, have emphasized the need for a bold reinvestment in MRVP and other housing and homelessness prevention programs. We are grateful that SWM has responded positively and recognized the need to appropriate additional funds, but are disappointed that they were unable to match the House's recommendation.

The SWM language earmarks \$800,000 for a new supportive housing program within MRVP for households with at least one child who are determined most in need of supportive housing. The language prioritizes access for families that would be able to exit emergency shelter with the receipt of such assistance. (Under the House's proposal, increased funding would create 923 new vouchers that would be targeted to families living in motels and shelters through the EA program.)

The Senate Ways and Means budget adopts the Governor's recommendation that the income eligibility limit be 50% of the area median income, as opposed to 200% of the federal poverty guidelines. Such language would bring MRVP income eligibility in line with other housing programs.

FY'12 funding level: \$36.0 million

FY'13 House 2 funding level: \$46.0 million

FY'13 House funding level: \$46.0 million

FY'13 SWM funding level: \$41.0 million

FY'13 MCH funding request: \$46.0 million

Amendment to Support: Senator Patricia Jehlen of Somerville will be filing an amendment to raise MRVP funding to \$46 million, to match the Governor and House. [Click here](#) for a fact sheet. Please ask your Senator to co-sponsor this amendment by contacting Heather Mills in Senator Jehlen's office at heather.mills@masenate.gov by noon tomorrow (Friday, 5/18).

5. The Senate Ways and Means budget would provide a dramatic increase in funding for the Residential Assistance for Families in Transition Program (RAFT, line item 7004-9316), at the level of \$8.8 million, matching the Governor and House's funding recommendations.

We are grateful that SWM has responded to the call to support reinvestment in the broader spectrum of housing and homelessness programs, including RAFT. Senate Ways and Means funding recommendation matches the Governor and the House, but would employ a different targeting scheme. SWM proposes that not less than 90% of the funds be targeted to households with incomes at or below 30% area median income (AMI), with other households with incomes up to 50% AMI eligible for limited funding.

Under the proposed language, families could be eligible for up to \$4,000 in RAFT assistance during a 12-month period. In addition, families may be able to combine this assistance with up to \$2,000 in HomeBASE funds, if needed "to maintain or secure housing or to otherwise avoid homelessness".

FY'12 funding level: \$260,000

FY'13 House 2 funding level: \$8.8 million

FY'13 House funding level: \$8.8 million

FY'13 SWM funding level: \$8.8 million

FY'13 MCH funding request: \$8.8 million

Amendments to Support: Stay tuned for possible amendments to support.

6. The Senate Ways and Means budget would level fund the public housing authority operating subsidies (line item 7004-9005) at the FY'12 final appropriations level of \$62.5 million.

The House originally proposed funding at \$62.5 million as well, but was able to increase the funding to \$64.5 million during the debate process.

FY'12 funding level: \$62.5 million

FY'13 House 2 funding level: \$66.5 million

FY'13 House funding level: \$64.5 million

FY'13 SWM funding level: \$62.5 million

FY'13 MCH funding request: \$71.0 million

Amendments to Support: Stay tuned for possible amendments to support.

7. The Senate Ways and Means budget would fund the Home and Healthy for Good Program (line item 7004-0104) at \$1.4 million.

This is a slight increase over FY'12 funding and a decrease of \$800,000 from the Governor's recommendation of \$2.2 million. This program employs a Housing First model to provide housing and services to unaccompanied adults who have experienced chronic homelessness.

FY'12 funding level: \$1.2 million

FY'13 House 2 funding level: \$2.2 million

FY'13 House funding level: \$1.2 million

FY'13 SWM funding level: \$1.4 million

FY'13 MCH funding request: \$2.2 million

Amendment to Support: Senator Jamie Eldridge is working with the Massachusetts Housing and Shelter Alliance to file an amendment to increase funding for this important program by \$800,000. Please ask your Senator to sign on by calling Senator Eldridge's office at 617-722-1120.

A Quick Look at Selected Department of Transitional Assistance (DTA) Line Items

1. The Senate Ways and Means budget would provide \$87.3 million in funding to the Emergency Aid to the Elderly, Disabled and Children Program (EAEDC, line item 4408-1000).

This is a decrease from the final FY'12 funding level of \$89 million, and from both the Governor and House's suggested funding levels of \$88.3 million. EAEDC caseloads have been increasing, so funding at this level may not be enough for the full fiscal year.

Senate Ways and Means would require the Administration to give the Legislature advance notice before implementing any eligibility changes in the line item, but only 30 days as opposed to the 60 days recommended by the House. (See discussion above under EA.)

FY'12 funding level: \$89 million

FY'13 House 2 funding level: \$88.3 million

FY'13 House funding level: \$88.3 million

FY'13 SWM funding level: \$87.3 million

FY'13 MCH funding request: \$89.0 million

Amendment to Support: Senator Karen Spilka of Framingham will be filing an amendment to increase the advanced notice period.

2. The Senate Ways and Means budget would decrease funding for the Transitional Aid to Families with Dependent Children grants (TAFDC, line item 4403-2000) to \$315 million for FY'13.

The Senate's recommended decrease in the TAFDC program is disappointing. However, DTA is predicting a smaller caseload in FY'13, which may allow DTA to operate the program at the amount recommended by SWM.

As with the final House budget, the Senate budget would continue to fund both the \$40/month rental allowance for families living in private market apartments and the annual clothing allowance that provides families with \$150 in extra assistance for each eligible child for the September to help offset back-to-school costs.

Neither the Senate budget nor the House budget support the Governor's recommendation to provide \$40/month transportation allowance to parents who are meeting their work participation requirement. Currently, this benefit is provided to some families through the Employment Services Program line item, 4401-1000.

As with EAEDC, the Senate Ways and Means budget requires the Administration to give the Legislature only 30 days advance notice before implementing any eligibility changes in the line item.

FY'12 funding level: \$324.2 million (with supplemental appropriation)

FY'13 House 2 funding level: \$318.9 million

FY'13 House funding level: \$322.8 million

FY'13 SWM funding level: \$315.4 million

MCH funding request: Adequate funding to at least maintain current eligibility standards and benefit levels.

Amendment to Support: Senator Karen Spilka of Framingham will be filing an amendment to increase the advanced notice period.

3. The Senate Ways and Means Committee, like the House, has proposed reforms related to the use of Electronic Benefit Transfer (EBT) cards by participants in DTA's cash assistance and food stamps programs.

The changes proposed by SWM are less far-reaching and more reasonable than the House's proposed changes. SWM would prohibit program participants from using direct cash assistance funds to pay for certain items, such as alcohol, lottery tickets, tobacco, tattoos, gambling, and court fees, fines, or bail. The proposal also includes imposing a card replacement fee up to the maximum amount allowed under federal law, and addresses the trafficking of food stamp benefits.

For more specific details, see [Outside Sections 47-50](#) and new line item 8100-1004 (which would fund the creation of a public benefit fraud unit within the Department of the State Police).

The Coalition will continue to work with key legislators and Massachusetts Law Reform Institute, Homes for Families, National Association of Social Workers- MA Chapter, Neighbor to Neighbor, and many others to make sure that the final budget language protects program participants from unreasonable/intrusive and perhaps, in some cases, unintended requirements and limitations. We want to ensure that efforts to root out fraud and abuse focus on those goals, and do not curtail families and individuals' abilities to meet basic needs and maintain dignity.

4. The Senate Ways and Means budget would increase funding for the Teen Living Program account (line item 4403-2119) to \$8.1 million. This line item provides shelter and services to pregnant and parenting teens and their children. The Senate's proposal exceeds both the House and the Governor's recommendations of funding the program at \$7.7 million, but would still result in 8 beds being cut. With a waitlist of over 60 teen parents plus their children, we cannot afford to lose any beds.

Amendment to Support: Senator Barry Finegold of Andover is sponsoring an amendment to increase the Teen Living Shelter program (4403-2119) at the \$8.47 million. This amount is only \$388,599 more than the SWM proposal, but it will ensure that all of the current beds are kept open in FY13.

Other Coalition Budget Priorities

1.) The Senate Ways and Means budget did not include the House's language that would establish a special commission focused on the needs of unaccompanied youth and young adults who are experiencing homelessness.

The Coalition is asking the Governor and the Legislature to support a special commission focused on the needs of unaccompanied youth and young adults who are experiencing homelessness. Language that would create the special commission also is contained within [House Bill 3838](#) (formerly House Bill 1862), *An Act Providing Housing and Support Services for Unaccompanied Homeless Youth*, a top priority of the Coalition. The full bill currently is at House Ways and Means, but the House included language in their final budget that would establish a special commission.

The commission would study and make recommendations on improving access to housing and services for unaccompanied youth ages 14-22, with the goal of ensuring a comprehensive and effective response to the unique needs of this population. The members of this commission would consist of representatives from key executive branch offices/departments (such as the Departments of Children and Families, Youth Services, and Housing and Community Development), as well as members of the Legislature, youth affected by the issue, representatives of non-profit agencies from across the state, and three appointees of the Governor's choice.

Amendment to Support: The Coalition asks the Senate to follow the House's lead and include language to create the special commission on unaccompanied youth experiencing homelessness. Senator Katherine Clark of Melrose will be filing an amendment to insert [this language](#) into the final Senate budget. Please ask your Senator to co-sponsor this amendment by contacting Natalie in Senator Clark's office at natalie.kaufman@masenate.gov by noon tomorrow (Friday, 5/18). [Click here](#) for a fact sheet on the amendment.

2.) The Senate Ways and Means budget includes language that would require the Department of Elementary and Secondary Education to conduct a study by December 1, 2012 to determine the costs to cities and towns for the transportation of children and youth experiencing homelessness.

However, the SWM did not include the \$11.3 million in proposed funding that the House recommended for costs associated with transporting students experiencing homelessness (House proposed Line Item 7035-0005).

As homelessness rates increase, school districts across the Commonwealth are faced with more students experiencing homelessness than ever before. The educational rights of these students are protected under the federal McKinney-Vento Homelessness Assistance Act, in which Massachusetts participates. Provisions in McKinney-Vento allow students experiencing homelessness and temporarily living outside of their original school district to either attend school in the town where they are currently residing, or to attend their original school (known as the "school-of-origin"). The municipality where the student is residing and the municipality that houses the student's school-of-origin are jointly responsible for costs associated with the transportation of the student.

The costs to communities can be substantial, and municipalities are unable to sustain the additional financial strain on their budgets. A small amount of federal funding is given to Massachusetts and is distributed among a handful of the school districts most affected by homelessness. The school districts that do receive the federal monies do not receive enough to offset the costs associated with educating students experiencing homelessness, and the school districts who do not receive the federal funds are left without any relief for their municipal budgets.

Amendment to Support: Senator Patricia Jehlen of Somerville is sponsoring an amendment to include \$11.3 million of funding under the Department of Elementary and Secondary Education to reimburse districts for the transportation costs associated with the McKinney-Vento Act. [Click here](#) for a fact sheet. Please ask your Senator to co-sponsor this amendment by contacting Heather in Senator Jehlen's office at heather.mills@masenate.gov by noon tomorrow (Friday, 5/18).

3.) The Senate Ways and Means budget did not include funding for furniture bank programs to assist families and individuals exiting homelessness.

The Coalition is working with other furniture bank programs around the state to secure \$200,000 in funding to help support a statewide network of furniture banks to assist low-income households transitioning from homelessness into housing (through Line Item 7004-0099).

Furniture banks are a crucial resource in helping families and individuals achieve housing stability. Currently, none of the furniture

bank programs in Massachusetts receive state funding. With limited resources, furniture banks are unable to operate at full capacity, leaving many people on the verge of achieving housing stability without the basic household necessities that make a house a home. To ensure that all furniture banks have the opportunity to benefit from state resources, we are asking that the any funding be put out for bid and distributed in grants, administered by DHCD.

Amendment to Support: Stay tuned for a possible amendment.

Take Action!

Please contact your State Senator today to ask her/him to co-sponsor the amendments listed above. Encourage your Senator to support housing, homelessness prevention, and safety net programs and protect the rights of the Commonwealth's lowest income residents throughout the budget debate.

State Senators can be reached through the State House switchboard: 617-722-2000, or directly through the numbers listed here: [Directory of Senators](#).

To search for your elected officials based on your address, please [click here](#).

We hope you will join us as the Coalition continues to push for the protection of housing and homelessness programs for FY'13. We will keep you informed of the progress as the state's budget makes it way through the next stages in the weeks ahead.

For more information, please contact [Kelly Turley](#) at 781-595-7570 x17.

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Massachusetts Coalition for the Homeless



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