



HUMAN ANIMAL SUPPORT SERVICES

Chair Edwards

Joint Committee on Housing
24 Beacon St.
Room 413-C
Boston, MA 02133

Chair Aciero

Joint Committee on Housing
24 Beacon St.
Room 146
Boston, MA 02133

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RE: Human Animal Support Services Written Testimony in Support of S. 876/H. 1367, S. 864, S. 866/H.1377, and S. 888.

Dear Chair Edwards, Chair Aciero and Committee Members:

On behalf of the Human Animal Support Services project (HASS), please accept this written testimony in support of S. 876/H. 1367, S. 864, S. 866/H. 1377, and S. 888, which were heard in Committee on Wednesday, September 27, 2023. HASS is a national collaborative of municipal shelters and nonprofit rescues whose mission is to keep people and their pets together, reduce euthanasia of healthy, adoptable pets, and facilitate critical engagement of animal welfare organizations, communities, and human services organizations to build a system to better address the modern needs of communities, both for people and the pets they love. At HASS, we believe that advocating for housing justice, including affordable housing and tenants rights, grounded in racial and economic equity, is deeply intertwined with advocating for companion animals, shelters, and the families that love them. And with approximately 70% of American households having at least one pet companion, this work spans all states, cities, and neighborhoods in our country.

First, HASS supports S. 866/H.1377, which would establish an office of fair housing and a housing trust fund, and S. 888, which would establish the Massachusetts Rental Voucher Program and create greater mobility for tenants with pets into higher-resourced neighborhoods.

S. 866/H.1377: Office of Fair Housing and Housing Trust Fund

The animal welfare movement has spent a significant portion of its history separated from, and even hindering, the efforts of other social justice movements. There are notable exceptions to this statement amongst national organizations, including the HSUS' Pets for Life program, which has had programming hyper focused on addressing needs at the intersections between racism, poverty, and the human-animal bond since its inception in 2012. Researchers at Companions and Animals for Reform and Equity (CARE) argue for "comprehensive human and animal well-being through the pursuit of community wisdom [to] drive lifesaving activities in marginalized



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communities,” and that “[d]oing so requires adopting transformative justice principles into a human and animal well-being framework.”¹ Lack of access to safe, affordable housing in high-opportunity neighborhoods, as well generational disinvestment in low-income neighborhoods, particularly for Black and Latino/x families, has long been considered by these communities as a root-cause issue for systemic racial inequities in generational wealth-building, healthcare outcomes, educational attainment, and interactions with the criminal justice system, among other issues.² President Barack Obama said, “a person’s zip code shouldn’t decide their destiny,”³ and yet we find these patterns of racial discrimination and lack of access to resources persisting across the country, impacting people and the pets they love. That’s why we argue that animal advocates need to be housing advocates, too.⁴

The same racial and economic segregation that, through historic and current discrimination by both private parties and government at every level, disproportionately holds Black, Indigenous, other People of Color (BIPOC), and low-income tenants in resource deserts for human needs, consistently extends to resources people need to care for their pets.⁵ Recent research suggests that racial discrimination in rental housing extends to pet policies. Two studies have assessed the disparate impact of stricter pet policies on BIPOC and low-income neighborhoods. One study, conducted in North Carolina, found that pet-friendly rental housing was more likely to be available to renters in predominantly White neighborhoods, compared to communities of color.⁶ Another study, focusing on the cost of keeping pets in rental housing in Texas, found that low-income communities and communities of color were more likely than higher income and predominantly White communities to pay disproportionately higher fees to keep pets in their homes.⁷ Startlingly, in that study, researchers found that higher income census tracts were less likely to have pet fees, *at all*, suggesting that decisions to implement additional pet fees may be grounded in attempting to discourage lower-income residents from having pets or, at the very least, suggesting a belief by landlords that low-income, pet owning tenants are less responsible – a deeply unfair, unfounded stereotype.

¹ Jenkins Jr., J. and Rudd, M. “Decolonizing Animal Welfare Through a Social Justice Framework” (2022) *Frontiers*. Available at: <https://www.frontiersin.org/articles/10.3389/fvets.2021.787555/full>.

² Orminski, E. National Community Reinvestment Coalition. “Your Zip Code is More Important than Your Genetic Code” (2021) Available at: <https://ncrc.org/your-zip-code-is-more-important-than-your-genetic-code/>.

³ Sanchez, D., et al. Center for American Progress. “An Opportunity Agenda for Renters” (2015) Available at: <https://www.americanprogress.org/article/an-opportunity-agenda-for-renters/>.

⁴ Loney, L. Human Animal Support Services. “Animal Advocates Need to be Housing Advocates, Too” (2023) Available at: <https://www.humananimalsupportservices.org/blog/animal-advocates-need-to-be-housing-advocates-too/>.

⁵ Arrington, A. and Loney, L. ShelterLuv Presentation “Navigating the Housing Crisis” (2020) Available at: <https://blog.shelterluv.com/2020/11/11/webinar-nov-20-navigating-the-housing-crisis/>.

⁶ Rose, D., McMillian, C., & Carter, O. (2023). Pet-Friendly Rental Housing: Racial and Spatial Inequalities. *Space and Culture*, 26(1), 116–129. <https://doi.org/10.1177/1206331220956539>

⁷ Applebaum, J., Horeka, K., Loney, L., and Graham, T. (2021) Pet-Friendly for Whom? An Analysis of Pet Fees in Texas Rental Housing. *Frontiers*. Available at: <https://www.frontiersin.org/articles/10.3389/fvets.2021.767149/full>.



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In 2023, the Fair Housing Justice Center reported that, in 2022, the Department of Housing and Urban Development (HUD) received just over 33,000 fair housing complaints – the highest number of complaints reported in any single year.⁸ Yet, it's private fair housing offices and legal services organizations – not HUD – that respond to a vast majority of these complaints, and there are neither enough of them nor enough funding for the existing offices to provide the support that tenants need.⁹ S. 866 and H. 1377 would allow Massachusetts to create its own state-level office of fair housing dedicated to investigating complaints ranging from racial discrimination and sexual assault to complaints by tenants with disabilities who have service animals and whose landlords are violating the Fair Housing Act by not allowing their pet or charging additional pet fees.

The bills would also commit the Office of Fair Housing to addressing factors that influence housing discrimination and we believe that the racial discrimination in pet policies described above, as well as the ways that having pets creates a barrier to accessing housing, is an important area of housing discrimination to consider in this effort. The myriad benefits of pet ownership – from physical and mental health to creating social connections – is well understood in the literature and anecdotally. Every person who wants to have a pet companion should be able to have one, and a person's race, income, or zip code should not have an outsized influence on their ability to have a pet, which we commonly see in today's pet companionship demographics.

Additionally, HASS supports efforts to increase funding for the development of affordable housing, including the provision of S. 866 and H. 1377 that would establish a Housing Trust Fund. We implore the authors to consider pet-inclusivity as a requirement for any housing built using funding from the Housing Trust Fund. In surveys conducted by myself and colleagues, we have found that there is even *less* access for people with pets in subsidized rental housing because of extremely limiting policies, with only a handful of properties surveyed free of breed or size restrictions. People living with their pets in subsidized housing are no less attached to their companion: I recently worked on a survey with tenants to learn about their experiences related to pets in subsidized housing. People were devastated at the reality that it was going to be impossible to both have a home they could afford and keep their pet. One tenant who was forced to give up their dog, named “Meatball,” in order to get housing described it as having to “choose between life or death.”¹⁰

⁸ Fair Housing Justice Center, “NFHA'S LATEST FINDINGS UNDERSCORE THE NEED FOR MORE ROBUST FUNDING FOR LOCAL FAIR HOUSING ENFORCEMENT ORGANIZATIONS” (2023) Available at: <https://fairhousingjustice.org/announcements/new-national-report-reveals-highest-number-of-housing-discrimination-complaints-to-date/#:~:text=%E2%80%9CWithout%20a%20major%20increase%20in,discrimination%20and%20segregation%20will%20continue.%E2%80%9D>.

⁹ *Id.*

¹⁰ Hupe, T.M., Graham, T.M., Loney, L., Murray, C.M., Binns-Calvey, M., Hawes, S.M., & Morris, K.N. Barriers to finding and maintaining pet inclusive affordable housing in Houston, TX: a qualitative phenomenology study (in preparation). *Manuscript on file with author.*



S. 888: Rental Voucher Program

HASS supports efforts to ensure that pet owners from historically and currently marginalized communities have greater mobility and access to high-quality, stable, and pet-inclusive housing in high-opportunity neighborhoods. There are certainly implementation issues with the federal Housing Choice Voucher program that keep voucher-holders in racially and economically segregated neighborhoods and there is also significant need for racially equitable reinvestment into existing marginalized communities.¹¹ However, among existing programs, the voucher programs have, more successfully than public housing or project-based Section 8 housing, given families access to low-poverty neighborhoods that are healthier and provide opportunities for better economic and educational opportunities, as well as resources, such as health care facilities and grocery stores.¹²

In the same vein, when families have the mobility, through a rental choice voucher, to move into higher-opportunity neighborhoods for their own needs, their access to pet care and resources also increases. A 2018 study by the Access to Veterinary Care Coalition found that distance to a veterinary clinic and transportation were significant barriers to accessing veterinary care, in addition to the skyrocketing cost of veterinary care, which have *outpaced the rising cost of human healthcare in the last decade*.¹³ And a 2023 study found that, in Detroit, MI, there are distinct animal resource deserts, that “more prosperous areas have more pet support resources, and that the need for services is not related to the location of pet stores and veterinary offices.”¹⁴ Rental choice vouchers are one tool for ensuring that low-income pet owners have access to neighborhoods where they can get the resources they need to care for their pets.

Second, HASS supports S. 876/H. 1367 to maintain stable housing and prevent evictions for people with pets during and beyond states of emergency and create more pet-inclusive subsidized housing in Massachusetts.

First, HASS supports the provisions of S. 876 and H. 1367 that would make various housing opportunities more pet inclusive, which HASS defines as housing free from breed, size, weight, or number restrictions and which is also free of nonrefundable pet fees and pet rents. Research

¹¹ Margery Austin Turner, Urban Institute, Strength and Weaknesses of the Housing Voucher Program, June 17, 2003. Available at: <https://www.urban.org/sites/default/files/publication/64536/900635-Strengths-and-Weaknesses-of-the-Housing-Voucher-Program.pdf>

¹² *Id.*

¹³ Neal, S. "Spatial Disparities in Access to Veterinary Care: Problems, Politics & Policies" (2021). West Chester University Doctoral Projects. 92. Available at: https://digitalcommons.wcupa.edu/all_doctoral/92.

¹⁴ Reese L, Li X. "Animal welfare deserts: human and nonhuman animal inequities." (2023) Frontiers. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10368398/>.



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dating back to the 1990s identifies housing issues as responsible for just under one-third of all owner surrender intake at animal shelters. This is born out in today's shelter data, as well. Our Pilot Shelters in the northeast are currently reporting that approximately 30% of total OS intakes are due to housing issues with increases from 11% - 14% over the same time period in 2021.¹⁵ Despite this long-understood relationship between housing insecurity and companion animal welfare, a recent study found that only 7% of rental housing is pet inclusive¹⁶ and, as mentioned above, there is evidence of even less availability in subsidized housing.

Second, HASS supports Sections 1 and 2 of S. 876 and H. 1367 as important applications of a Housing First approach during periods of emergency and the immediate aftermath ensuring that people will not lose housing or not be able to access temporary housing simply due to the presence of a pet. Although Housing First is typically thought of as an approach to addressing homelessness, its underlying principle that housing is a basic human right which should have as few barriers to entry as possible, is applicable in many situations where access to, or keeping, stable, affordable, safe housing is at issue. The presence of a pet should never be considered a justification for forcing somebody out of their home during an emergency like the COVID-19 pandemic and HASS applauds the effort to codify and extend these provisions in case of future need.

However, in each of the sections related to pet-inclusive housing and in Section 2, related to pets staying in hotels during states of emergency, we respectfully request that the bill authors also consider preventing hotels and landlords from charging non-refundable fees or pet rents for pets in rental housing or at hotels during the applicable time frame in Section 2. Rental housing¹⁷ and hotels¹⁸ are both increasingly charging non-refundable up-front fees and/or pet rents, which is a significant cost burden for renters and people needing temporary housing during emergencies. As noted above, non-refundable pet fees and rents are not applied equitably and there are countless stories of tenants who are put in the horrifying position of having to choose between monthly costs of groceries or medication and their pet because of these pet fees. In 2022 Carol Mithers wrote an in-depth article for *Dame Magazine* about this issue, highlighting the myriad ways in which low-income tenants with pets are discriminated against.¹⁹ She quoted one researcher, Jenny Applebaum from University of Florida, saying, “[o]ur findings point to the hypothesis that pet fees are yet another discriminatory practice that inevitably leads to poorer housing security...among already disadvantaged and marginalized populations.”²⁰

¹⁵ Data available upon request from Human Animal Support Services.

¹⁶ Michaelson Found Animals. “2021 Pet-Inclusive Housing Report” (2021) Available at: <https://www.petsandhousing.org/2021-pet-inclusive-housing-report/>.

¹⁷ See n. 7.

¹⁸ Ewan, N. The Points Guy “Dont be fooled by a pet-friendly hotel – it’ll almost always cost you” (Feb. 8, 2022) Available at: <https://thepointsguy.com/news/pet-friendly-hotels-cost/>.

¹⁹ Mithers, C. “Pet Rent is Newest Tool of Housing Discrimination” (June 6, 2022) *Dame*. Available at: <https://www.damemagazine.com/2022/07/06/pet-rent-is-the-newest-tool-of-housing-discrimination/>.

²⁰ *Id.*



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It's clear that the policies in market-rate and subsidized housing addressing families with pets are serving to create housing instability, not security, and speaks to the need for stronger public policies aligned with a core value in our society, which is that pets are family and nobody should be forced to give up a pet they love because pet-inclusive, affordable housing is out of reach.

Third, HASS supports S. 864, which would establish a right to counsel for tenants experiencing evictions protecting people and their pets from abusive eviction tactics and increasing housing stability.

In Massachusetts, eviction filings are not only back to, but are higher than pre-pandemic levels.²¹ In Boston, for example, more than 13,000 eviction filings have been reported since 2020.²² With pet industry estimates that approximately 70% of renter households have at least one pet, upwards of 18,500 pets have also likely been impacted by evictions.²³ Given the significant numbers of tenants and pets impacted by eviction, HASS applauds the effort to protect families experiencing an eviction. Evictions are, first and foremost, traumatic events that most of us could not fathom experiencing. Tenants' rights and animal welfare advocates have heard the horror stories of pets locked inside rental units without food or water that tenants no longer have access to because of legal lockouts, pets released by property managers, or pets tied up and left alone at stair rails or street signs next to all the personal possessions a tenant owns that have likewise been carelessly discarded next to the street.

There is also disheartening anecdotal evidence of landlords using pets against their human families in retaliation for a tenant complaining about habitability issues, which can lead to eviction. Quoting Los Angeles-based attorney, Dianne Prado, Carol Mithers says in her *Dame* article that, "[l]andlords can and do weaponize the pets of low-income tenants...a tenant complains about a leak or infestation, and the next thing they know, an animal control officer is knocking at the door. The landlord has called to report them as abusers," which can threaten their tenancy.²⁴

The inhumane (but nonetheless legal) ways in which evictions are conducted leave many tenants in the throes of crisis. They may, understandably, have difficulty navigating finding new housing that will accommodate them and their pet and having legal counsel at their side will, at the very least, ensure that they have support through a devastating process and, at best, prevent the eviction from happening at all.

Finally, creating a right to legal counsel for tenants experiencing an eviction would be an important step in creating more racial and economic equity for tenants. Startlingly, more than 86% of landlords were represented by legal counsel during eviction proceedings, compared to only 11.5

²¹ See, e.g., Eviction Lab. "Boston, Massachusetts" (Last updated June 1, 2023). Available at: <https://evictionlab.org/eviction-tracking/boston-ma/>.

²² *Id.*

²³ American Pet Products Association, Pet Industry Market Size, Trends & Ownership Statistics (last visited February 8, 2023). Available at, https://www.americanpetproducts.org/press_industrytrends.asp.

²⁴ See *n. 18*.



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% of tenants.²⁵ Families where women are head-of-household, families with children, and Black and Latino/x families face disproportionately high eviction rates.²⁶ Not only are these families more likely to be forced to give up a pet they love due to eviction or have a pet used against them by a retaliatory landlord, but at HASS, we argue that improving racial and economic equity in access to safe, secure housing will directly and indirectly benefit people *and* pets and, therefore, it's vital for animal welfare organizations concerned about companion animal welfare to voice support for housing initiatives such as right to legal counsel.

The systemic oppression of low-income and marginalized communities, and the consequential lack of resources in those communities, directly impacts pet owners' ability to care for and keep the pets they love. Nowhere is this more clear than how pets and their owners are impacted by the national epidemic of housing injustice, including a staggering lack of access to safe, affordable housing for low-income renters. We would like to thank each of these bill sponsors and co-sponsors for their strong commitment to housing justice for all families, as they define it, and for this Committee's attention to issues so vital for the health and wellbeing of Massachusetts' families, in particular those families who have pet companions. If you have any questions or concerns, please don't hesitate to reach out.



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²⁵ MassRTC. "A Campaign for Access to Counsel and Justice in Evictions." (Last visited October 2, 2023) *Available at:* <https://www.massrtc.org/why.html>.

²⁶ Homes for All Massachusetts & Massachusetts Institute of Technology. "Housing Justice Beyond the Emergency: An Analysis of Racial Inequity in Eviction Filings Across Massachusetts" (2022) *Available at:* <https://www.homesforallmass.org/covid-evictions-report/#:~:text=%E2%80%9CWe%20find%20that%20housing%20insecurity,Asian%20American%2FPacific%20Islander%20or>.