



Housing fundamentals: What care teams need to know

May 23, 2023

Jeannine Casselman, JD



MLPB
ADVANCING HEALTH
THROUGH JUSTICE



MLPB

ADVANCING HEALTH THROUGH JUSTICE

MLPB equips communities of care with legal education and problem-solving insight that fosters prevention, health equity, and system transformation. Through training, consultation, telementoring and technical assistance (our team-facing legal partnering model), MLPB helps teams and organizations understand their power to unlock access to health-promoting resources and legal protections.



Learning Objectives

Recognize

public policies that drive rental housing affordability, availability and quality

Identify

key benefits and legal protections that bolster housing stability.

Apply

problem-solving strategies to common barriers impacting housing stability



Unauthorized Practice of Law

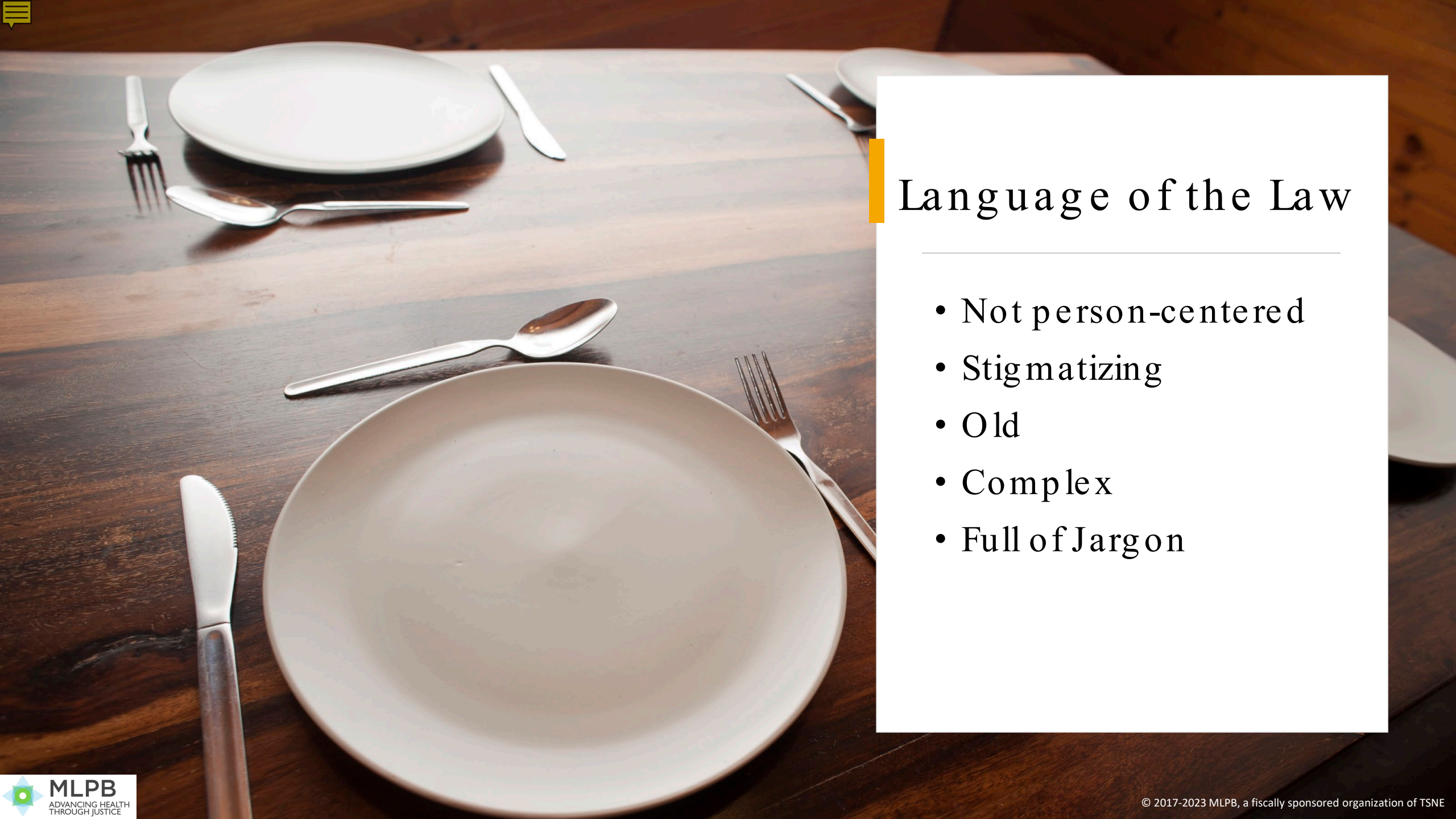
MLPB is here to educate you about some legal rights and remedies available to people and populations, and to strengthen your problem-solving toolbox, not to turn you into lawyers!

- DO relay general information about the law
- DO connect people to resources
- DO help people apply for benefits (SNAP, Social Security, etc.)
- DO NOT provide advice about an ongoing or potential court case

Help people understand what they CAN do

... not what they SHOULD do

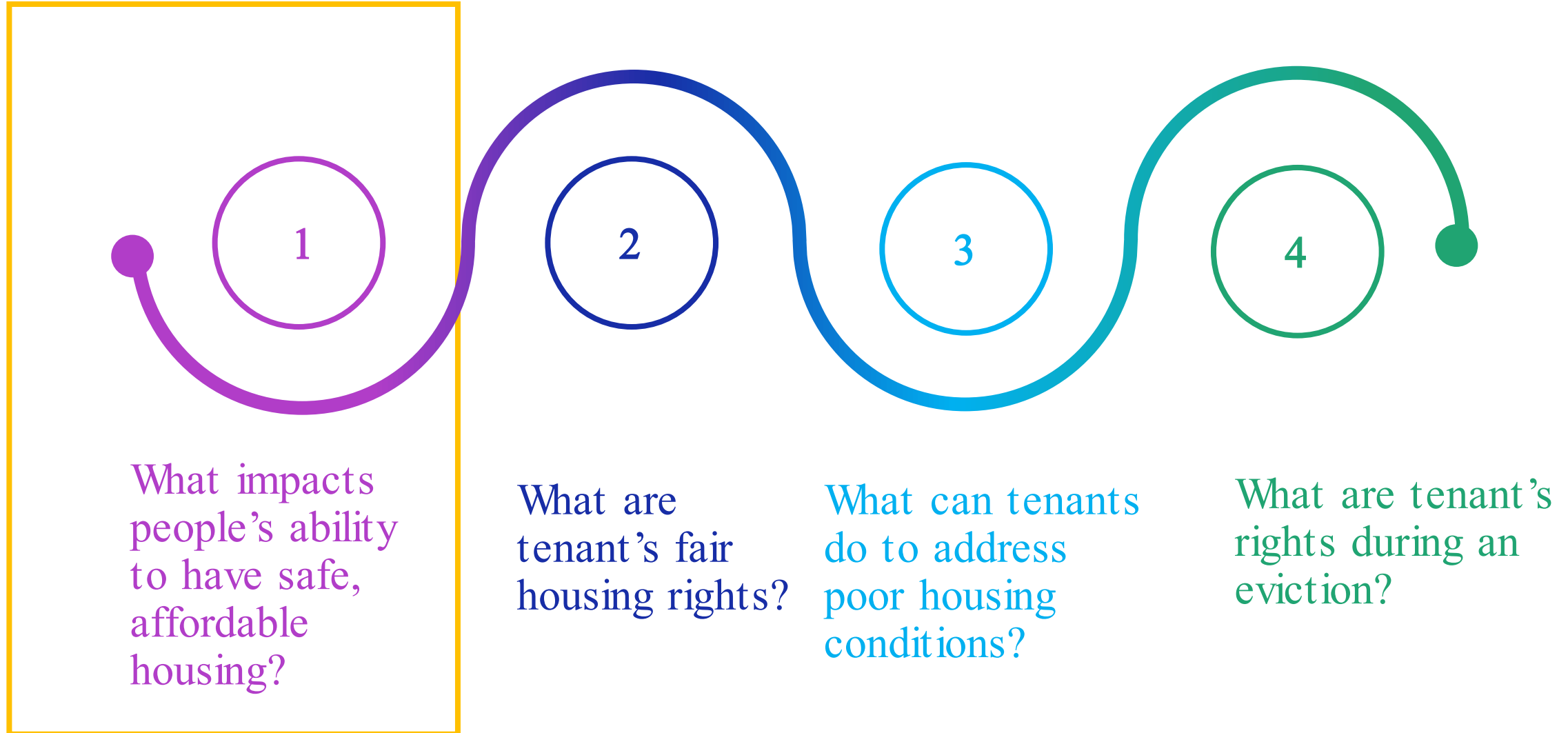
The unauthorized practice of law is a crime!

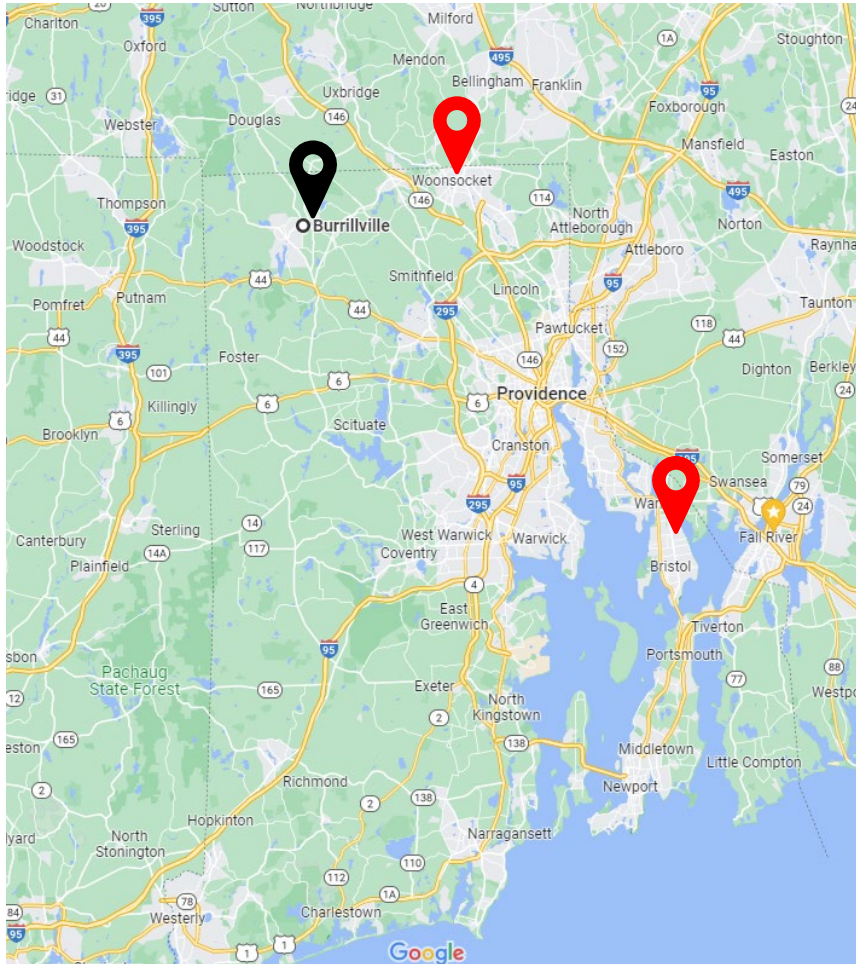


Language of the Law

- Not person-centered
- Stigmatizing
- Old
- Complex
- Full of Jargon

Roadmap





In 2021, the average renter income in RI was \$38,339.

How many towns can this renter comfortably afford to rent a 2- bedroom apartment?



- A. 1
- B. 5
- C. 10
- D. 12



What is the rental vacancy rate in Rhode Island?

- A. 0.9%
- B. 2.8%
- C. 5%
- D. 10.6%



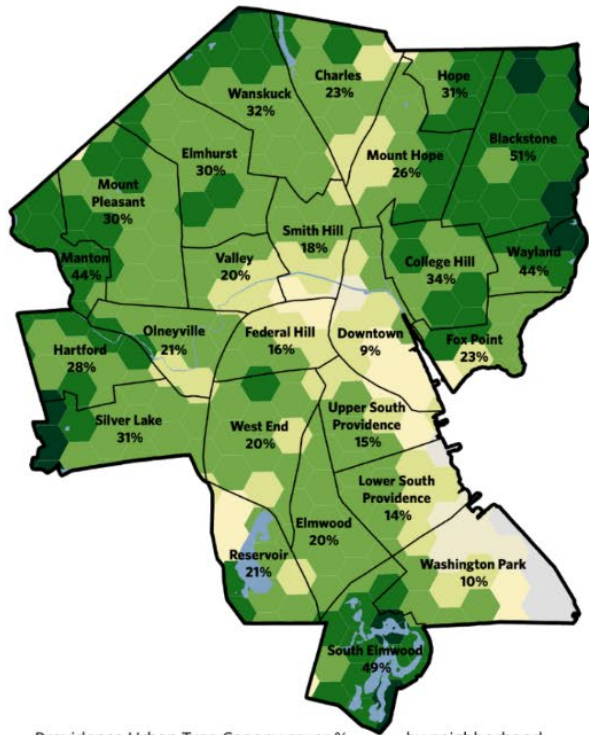
Rhode Island's housing stock is...



- A. among the oldest in the country – dating back to 17th century
- B. about average, given the combo of colonial era dwellings, and the urban renewal experiments of the 1960's.
- C. newer than you'd think. Gentrification created new housing developments to accommodate current and new residents.

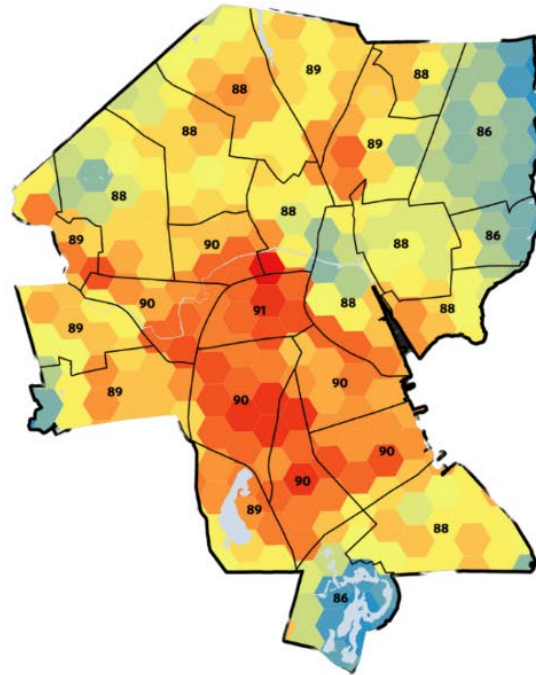
Urban planning and health impacts

PROVIDENCE'S 2018 % TREE CANOPY COVER



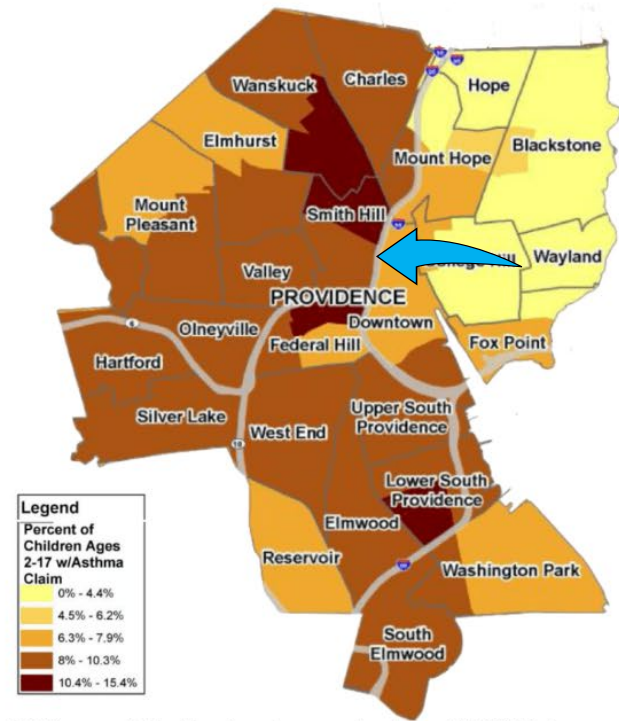
Providence Urban Tree Canopy cover % by neighborhood
(From UVM Spatial Analysis Lab's - 2021 Urban Tree Canopy Assessment Report)

AIR TEMPERATURE & URBAN HEAT ISLAND EFFECT IN PROVIDENCE



Average Ambient Air Temperature in degrees Farenheit - July 2020
(Data from RI Heat Watch 2020 - RIDOH, RIDEM & CAPA Strategies)

RATES OF CHILD ASTHMA IN PROVIDENCE



% of children age 2-17 with asthma by census tract. 2010-2012, 3 yr average
From RIDOH <https://health.ri.gov/publications/databooks/2014AsthmaClaims.pdf>

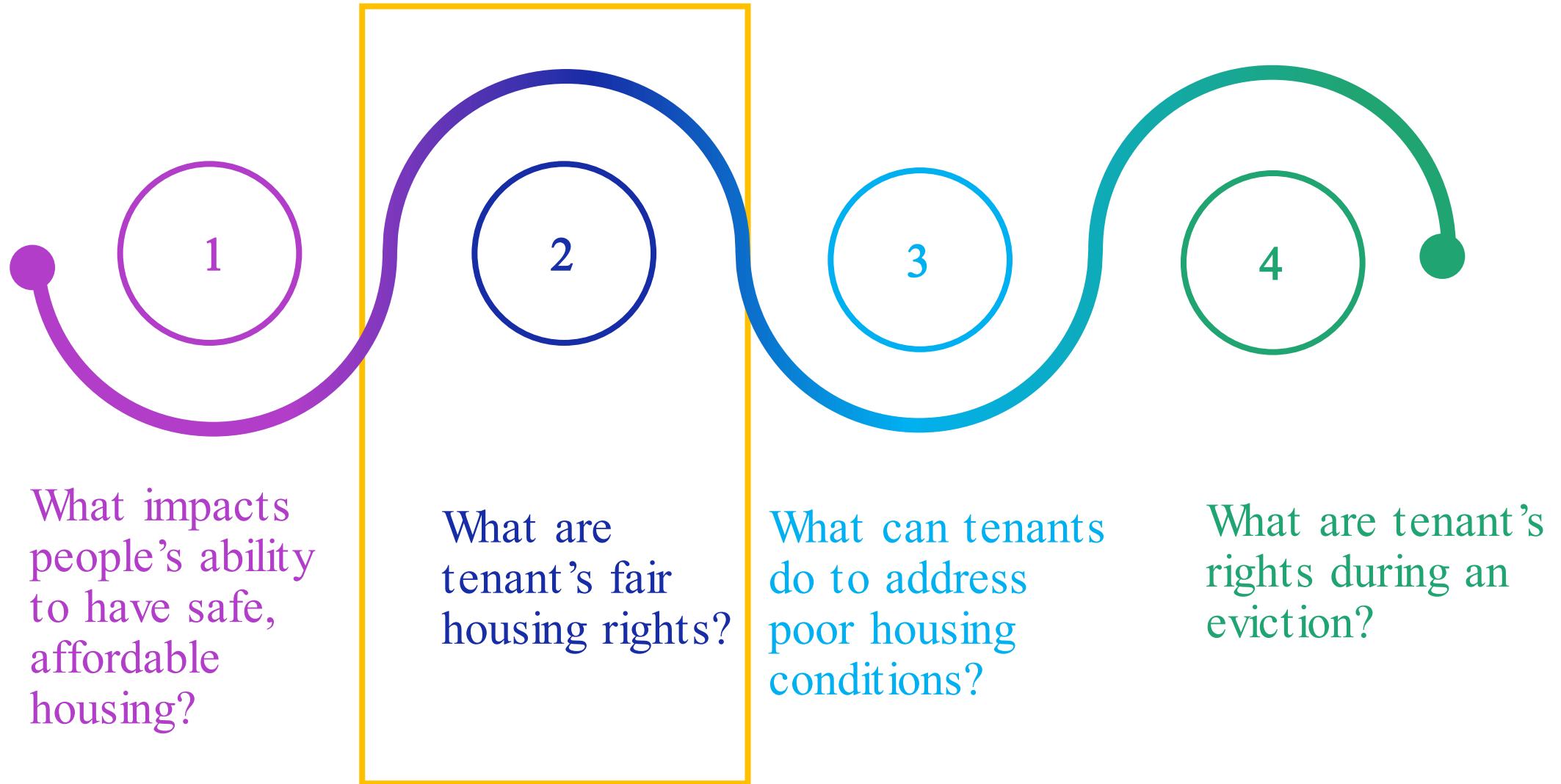
Addressing Social Needs to Prevent Legal Crisis




- WELLBEING**
Thriving in a healthy home
- STABILITY**
Housing barriers identified and resolved
- BALANCE**
Less than a third of income spent on rent and utilities
- BURDEN**
More than half of income spent on rent and utilities
- WARNING**
Two months behind on rent
- ESCALATION**
Landlord sends written notice
- EMERGENCY**
Landlord files court case
- CRISIS**
Authorities show up to enforce eviction



Roadmap





Maja is 36 weeks pregnant and is looking for an apartment with her partner, Olin. She has submitted many applications, been to numerous apartment viewings, but has had no luck.

She thinks she is being denied because she is about to have a baby and because of her criminal systems history.

Maja has been in recovery for 5 years and in this time has received her BA, been promoted in her job, and paid off her fines related to old marijuana charges.

Which is correct?

- A. Maja might be discriminated against because she is pregnant
- B. Maja might be discriminated against because she is pregnant and has criminal systems involvement.
- C. Maja might be discriminated against because of her criminal systems involvement.
- D. Maja is not being discriminated against.

It is illegal to Discriminate based on a tenant's membership to one of these "protected classes"

Federal Law

Race

Color

Country of
Ancestral
Origin

Familial
Status

Disability

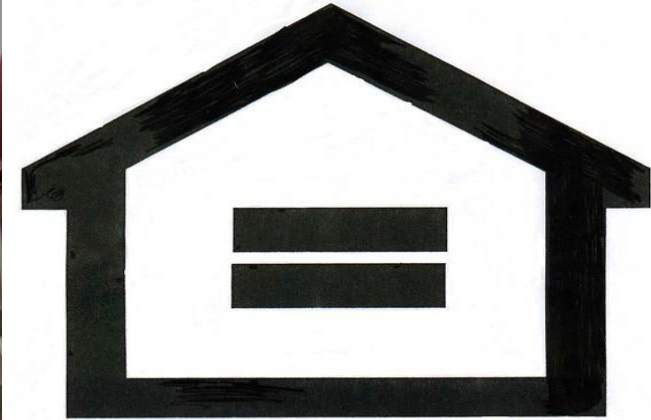
Religion

Petra

Petra is the mother of 2 children, a 3-year-old and a 5-week-old. She is struggling with post-partum depression. She recently separated from her partner and relies heavily on her mother for help.

At a post-partum visit with you, she tells you that she has a Section 8 voucher. She also says she only has 2 more weeks to find an apartment, or she loses the voucher. She is overwhelmed with being a new mom, starting new medication and therapy appointments. Looking for housing has exacerbated her depression symptoms.

What can you do to help Petra?



**EQUAL HOUSING
OPPORTUNITY**

Disability defined:

A person with mental or physical impairments that substantially limit one of their major life activities

Equal access can be provided through:

Reasonable Accommodations:

A change in a rule, policy, practice, or service that may be necessary to allow a person with a disability the equal opportunity to use and enjoy a dwelling.

Reasonable modifications:

A structural change made to existing premises, occupied or to be occupied by a person with a disability, in order to afford such person full enjoyment of the premises.

Wider doorways

Lowered
Cabinets

Ramps

Removal of
carpet

Changes to
rental leases

Transfers to
different public
housing units

Raid address
numbers

Inclusion of
emotional
support animals



Reasonable Accommodation / Modification Letter

Dear Housing Authority,

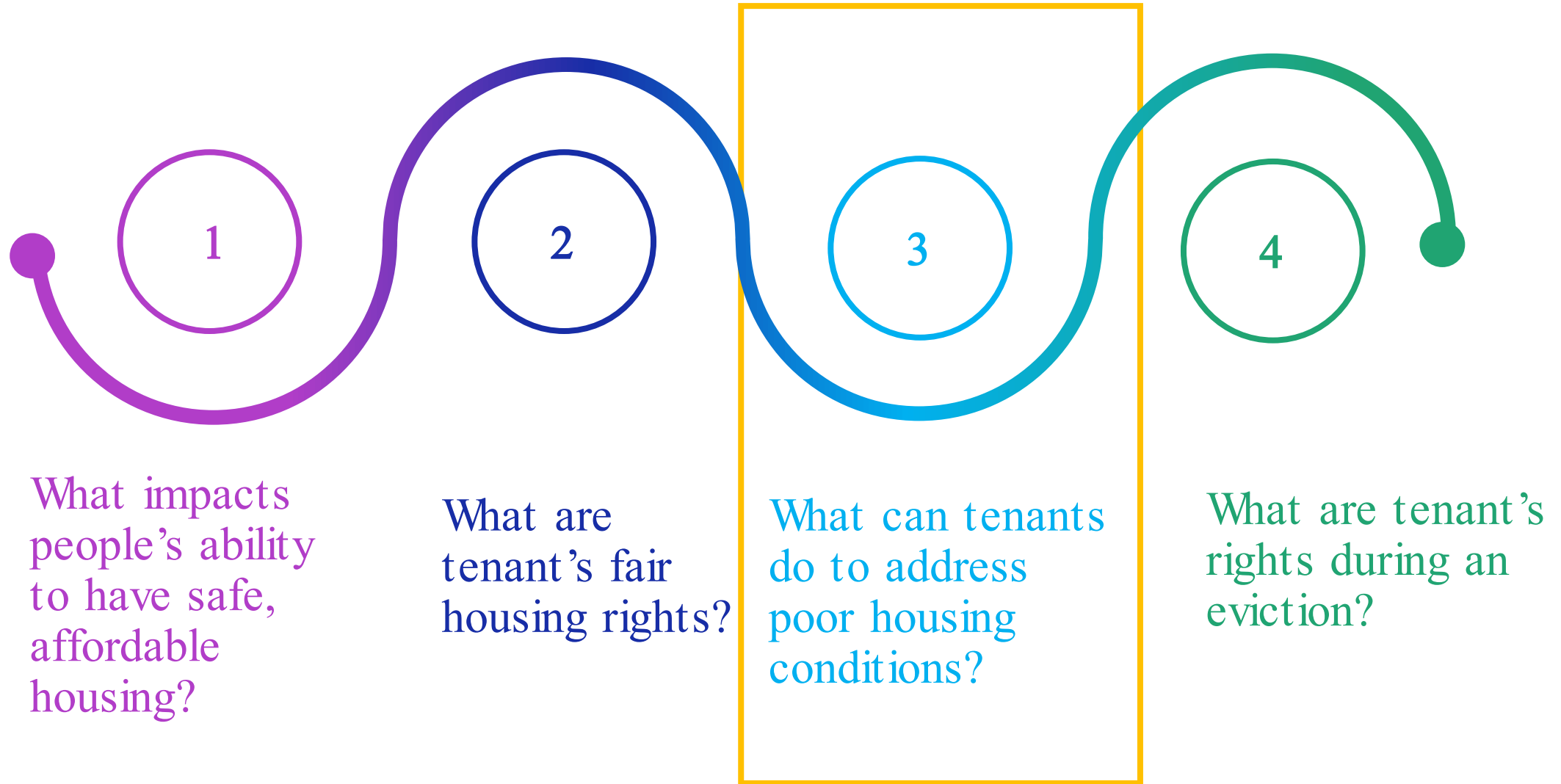
Petra has been my patient for several years. I have been following Petra to manage the symptoms of a disability they have. The disability severely affects her memory and ability to manage communications, as well as organizing and attending appointments. While we are addressing her acute symptoms, I have advised her to reduce the amount of time she is spending on stressful activities, which include apartment hunting.

To help her meet her health goals and to ensure her rights under fair housing law, please provide the following reasonable accommodations.

- **More time to respond to communications from the Housing Authority**
- **More time to use her Section 8 voucher**
- **More time to find an apartment**

In my medical opinion this is an urgent issue. Thank you for your prompt attention to this important Fair Housing request on behalf Petra.

Roadmap





How might you help Monica?

Monica has an 18-month-old and is pregnant with her second child. She just learned that her toddler has an elevated blood lead level of 15 micrograms/deciliter.

Monica knows her apartment has problems. She moved in January 2020 and asked the landlord then to fix the peeling paint and replace the windows. The pandemic happened and nothing was repaired.

In a recent visit, you learn that Monica complained again to the landlord. This time the landlord said that it would probably be best for Monica to find a new place. Monica can't afford to move, nor can she take time off from work to find a new place. She asks you for guidance.



TENANT RIGHTS



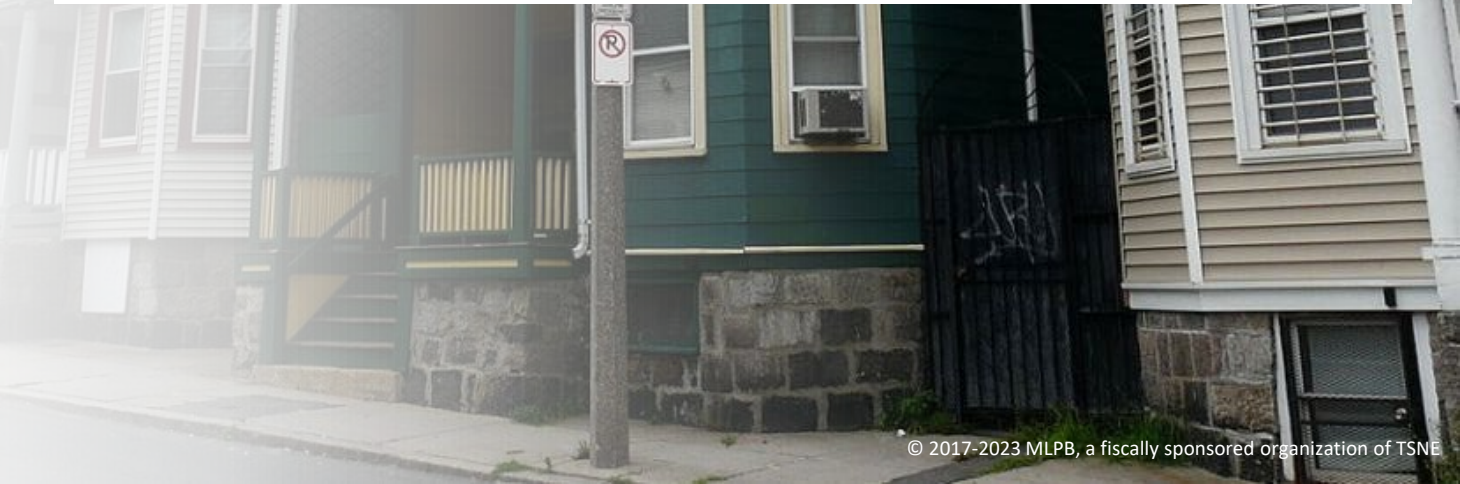
NOTIFY THE
LANDLORD



CONTACT CODE
ENFORCEMENT



SEEK OUT
LEGAL COUNSEL





TENANT RIGHTS



NO TIFY THE LANDLORD



CONTACT CODE ENFORCEMENT



SEEK OUT LEGAL COUNSEL

What is not a housing code violation?

- A. Rat and cockroach infestations
- B. Mold
- C. Leaky pipes
- D. Peeling and chipping paint

Tenants have the right to habitable apartments.

Landlords have duties to comply RI minimum housing standards.

THE RHODE ISLAND LANDLORD-TENANT HANDBOOK

State of Rhode Island and Providence Plantations
Donald L. Carcieri, Governor

Department of Administration

Division of Planning

Office of Housing and Community Development

Your Rights as a Tenant

This handbook has been prepared for you by

RHODE ISLAND LEGAL SERVICES, INC.

© 2007

For more information, please call the office nearest you or visit our website at www.RILS.org.

PROVIDENCE:

56 Pine Street
Suite 400
Providence, RI 02903
(800) 662-5034
(401) 274-2652
Fax: (401) 453-0310
TDD: (401) 272-5335

NEWPORT

50 Washington Square
Newport, RI 02840
(800) 637-4529
(401) 846-2264
Fax (401) 848-0383




Lead Hazard Mitigation Act


Presumption of lead in homes built before 1978


Non-exempt landlords must:


- Have lead inspections
- Provide lead information to tenants

At-risk occupants – pregnant people and children under 6 – have the right to lead safe apartments


TENANT RIGHTS


NO TIFY THE LANDLORD


CONTACT CODE ENFORCEMENT


SEEK OUT LEGAL COUNSEL



Property Certificates ⓘ

Certificate Number	Certificate Type	Address	Certificate Issued	Expiration Date	StrNu [^]
170723	Independent Clearance Inspection (Legacy HRC)	1108 SMITH ST PROVIDENCE RI 02908	6/19/2019	6/19/2021	1108
175847	Independent Clearance Inspection (Legacy HRC)	1195 SMITH ST PROVIDENCE RI	1/5/2021	1/5/2023	1195
185419	Conditional	12 GOLDSMITH ST PROVIDENCE RI 02906	3/19/2021	3/19/2023	12
186498	Conditional	1216 SMITH ST PROVIDENCE RI 02908	7/1/2020	7/1/2022	1216
189279	Conditional	1216 SMITH ST DAYCARE PROVIDENCE RI 02908	4/27/2022	4/27/2024	1216
173497	Interior Only Inspection (Legacy HRC)	1309 SMITH ST 3RD FLR. PROVIDENCE RI 02908	3/19/2020	3/19/2022	1309
173541	Interior Only Inspection (Legacy HRC)	1309 SMITH ST 3RD FLR. PROVIDENCE RI 02908	3/19/2020	3/19/2022	1309
174816	Independent Clearance Inspection (Legacy HRC)	240 SMITH ST 1ST PROVIDENCE RI 02908	9/24/2020	9/24/2022	240
169032	Independent Clearance Inspection (Legacy HRC)	243 SMITH ST 1005 PROVIDENCE RI 02908	5/10/2019	5/10/2021	243
174081	Independent Clearance Inspection (Legacy HRC)	326 SMITH ST 1ST PROVIDENCE RI 02908	7/15/2020	7/15/2022	326
174083	Independent Clearance Inspection (Legacy HRC)	326 SMITH ST 1ST PROVIDENCE RI 02908	7/15/2020	7/15/2022	326
177511	Independent Clearance Inspection (Legacy HRC)	326 SMITH ST APT 1 PROVIDENCE RI 02908	5/24/2021	5/24/2023	326
177513	Independent Clearance Inspection (Legacy HRC)	326 SMITH ST APT 2 PROVIDENCE RI 02908	5/24/2021	5/24/2023	326
174541	Independent Clearance Inspection (Legacy HRC)	340 SMITH ST 2 PROVIDENCE RI 02903	8/28/2020	8/28/2022	340
174439	Independent Clearance Inspection (Legacy HRC)	340 SMITH ST 3 PROVIDENCE RI 02903	8/18/2020	8/18/2022	340
168995	Independent Clearance Inspection (Legacy HRC)	389 SMITH ST 3 PROVIDENCE RI 02904	5/9/2019	5/9/2021	389

Note: Interior Only certificates are valid from the date they are issued until the following June 30.



TENANT RIGHTS



NO TIFY THE LANDLORD



CONTACT CODE ENFORCEMENT



SEEK OUT LEGAL COUNSEL

Poor rental conditions can't improve without first telling the landlord about the problems



Sample tenant letter to landlord

Patient

Address and Date

Dear Landlord,

I am a tenant at X ADDRESS, a property you maintain and/or own. Please remediate the following housing conditions that are affecting me and my family's health and safety:

- **List conditions**

Please make these repairs in a timely fashion. As you know, you are required under Rhode Island law to make the repairs within 20 days of receipt of this notice.

Sincerely, **Tenant Signature**



TENANT RIGHTS



NO TIFY THE
LANDLORD



CONTACT
CODE
ENFORCEMENT



SEEK OUT
LEGAL
COUNSEL

What happens when the landlord won't make the repairs?



Repair and Deduct Rule

FROM:

your name, address, and phone number

TO:

landlord's name and address

today's date

Dear *landlord's name* :

I am writing to tell you that the following problems in my apartment need to be repaired:

list problems here

I understand that by Rhode Island law, you have up to 20 days to take care of these problems. If the repairs are not made within that time, I plan to have the repairs done and deduct the cost (up to \$125) from my next rental payment.

Please let me know as soon as possible when you plan to make these repairs.

Sincerely,

sign your name here



TENANT RIGHTS



NO TIFY THE
LANDLORD



CONTACT
CODE
ENFORCEMENT



SEEK OUT
LEGAL
COUNSEL

Housing Code Inspections

RI state laws set the minimum standards for healthy housing.

Rental properties must be clean, habitable, and fit for human occupancy.

Cities have an interest and authority to ensure that buildings meet these standards

- May need to call multiple times to make an appt.
- Patients need to be home to let the city code inspector in to conduct the inspection
- Code violation reports are public records



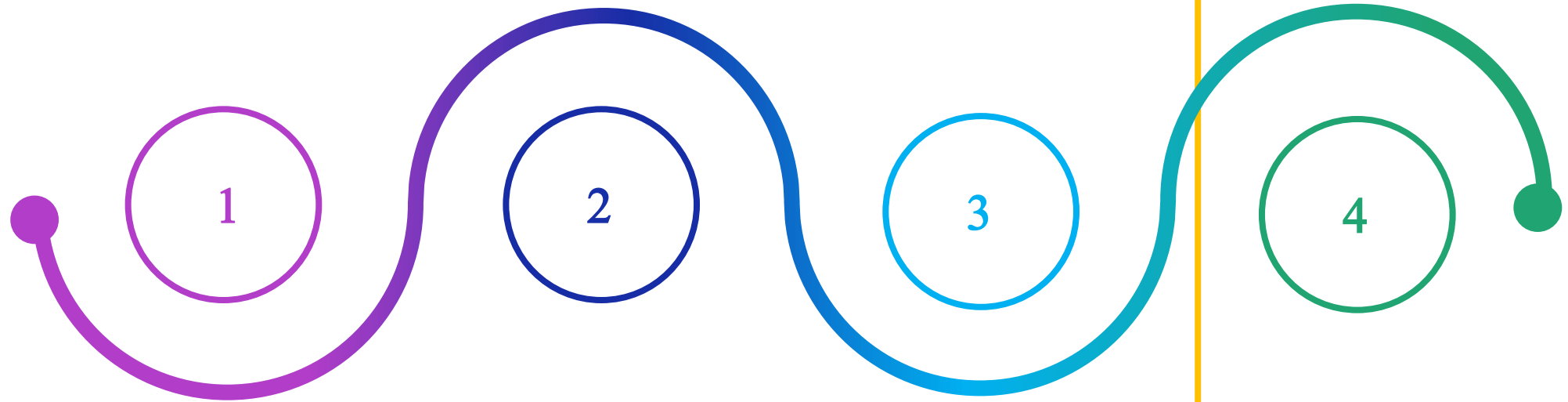
Retaliation is against the law

Retaliation includes:

- Raising rent
- Sending out termination of tenancy notices
- Disrupting utilities
- Barring access to the apartment
- Evictions
- Threatening to call Immigration officials



Roadmap



What impacts people's ability to have safe, affordable housing?

What are tenant's fair housing rights?

What can tenants do to address poor housing conditions?

What are tenant's rights during an eviction?



How might you help Monica?

After Monica has complained about the peeling paint, she receives a notice demanding that she pay back rent for the two months she missed. Monica doesn't dispute that she is behind, but thinks the landlord is retaliating against her. The landlord is aware that Monica receives TDI and that over time she'll be able to make up what she owes.

How might you support Monica?



TENANT RIGHTS



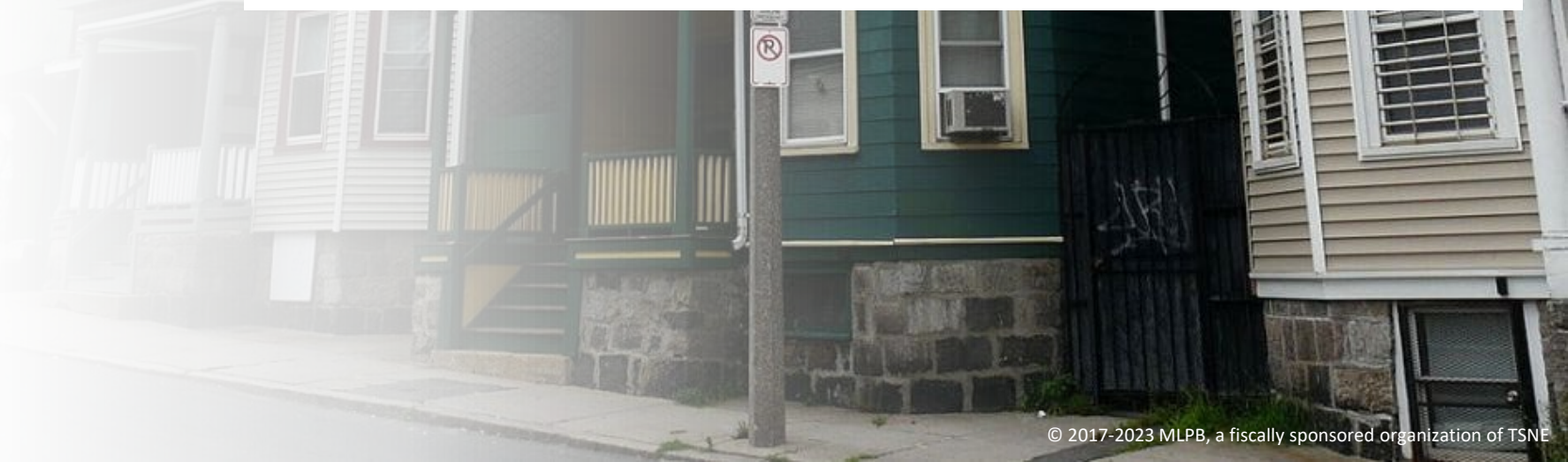
NOTIFY THE
LANDLORD

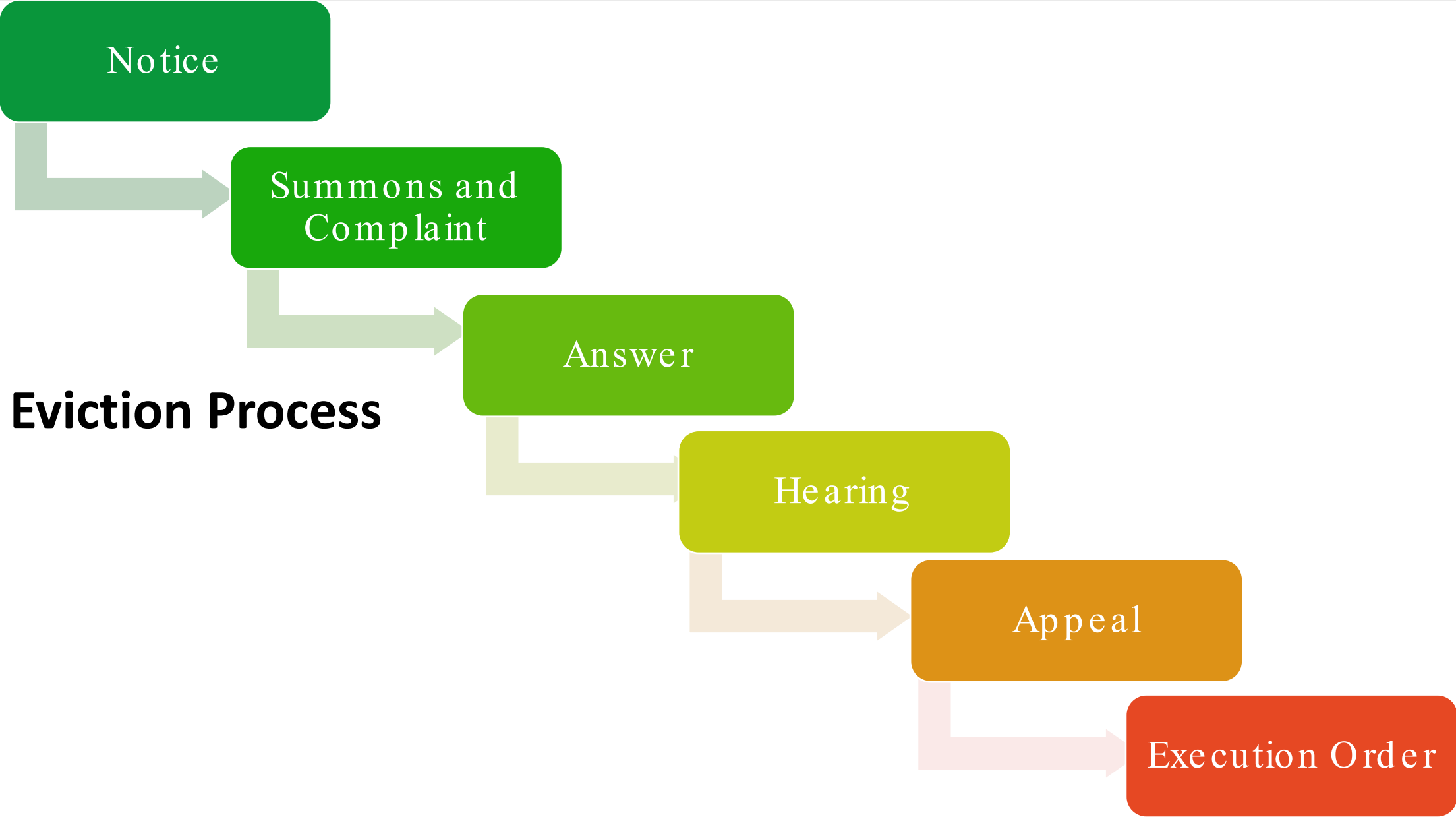


CONTACT CODE
ENFORCEMENT



SEEK OUT
LEGAL COUNSEL





Care team role

- Share Tenant's Rights information
- Connect to patient/client to legal resources:
 - Center for Justice
 - RI Legal Services
 - Office of the Mental Health Advocate (in some cases)
 - Volunteer Lawyer Help Desk (Providence and Kent County courts)
- Help people organize their documents
- Support income maximization and housing search strategies





TRUE or FALSE

People defending against eviction have the right to have an attorney provided to them if they can't afford one.



FALSE

In most civil matters, it is up to the litigants to find their own attorneys (or they can represent themselves)

~95% of landlords have attorneys

~95% of tenants are unrepresented



↓ household costs
↑ funds for housing



TAX RETURNS



CHILD CARE ASSISTANCE PROGRAMS/ HEAD START



NUTRITION PROGRAMS



HOUSING SUBSIDIES



LIHEAP/FUEL ASSISTANCE



INTERNET DISCOUNTS (ACP)



MEDICAID



TRANSPORTATION



UNEMPLOYMENT / TDI / TCI BENEFITS



STUDENT DEBT RELIEF



VETERAN'S BENEFITS















UPL Reminder

Monica tells you she received a complaint and summons for an eviction. She thinks the landlord is illegally evicting her and wants your help in filling out the court paperwork.

How can you help this person?

- Provide information about the eviction process generally.
- Connect the patient to legal resources.
- Help the patient organize their documents they might need for court.
- Work with Monica to figure out her transportation to court and daycare for her children.

DIGITAL DIGEST

 <p>GENERAL ORDERS</p>	 <p>COURT SYSTEMS</p>	 <p>CRIMINAL SYSTEM INVOLVEMENT</p>	 <p>GOVERNMENT IDENTIFICATION</p>
 <p>EDUCATION & CHILDCARE</p>	 <p>EMPLOYMENT</p>	 <p>FOOD & INCOME SECURITY</p>	 <p>IMMIGRATION STATUS & PUBLIC CHARGE</p>
 <p>INTERPERSONAL SAFETY</p>	 <p>TRANSPORTATION NEEDS</p>	 <p>HOUSING STABILITY</p> <p>Headline: As of August 1, 2022, households applying for rental assistance through RAFT must have received a notice to quit, eviction notice or court summons.</p> <p>Last-reviewed: 9am, Sept. 8, 2022</p> <p>View Full Digest ></p>	 <p>UTILITIES & INTERNET</p>

Key RI Housing Resources

Legal Assistance
RI Legal Services
RI Center for Justice

Court services
Volunteer Lawyer for the Day
(Providence and Kent
County)

Legal Clinic
RI Coalition to End
Homelessness

Legal information
Landlord/Tenant Handbook
Helprilaw.com
HomesRI.org/evictionfaq

Housing Advocacy
Tenants Network of RI
HomesRI

Fair Housing
RI Commission for Human
Rights
Southcoast Fair Housing

Code Enforcement
Office
Google name of town
and code department





Copyright Statement

This presentation is for educational purposes only;
nothing in it should be construed as legal advice.

MLPB may permit copying, redistribution, and adaptation of this presentation, in whole or in part, provided that:

- a) you seek and secure written authorization from MLPB at admin@mlpb.health prior to copying, redistributing, or adapting the presentation; and
- b) any copy, redistribution, or adaptation
 - i. retains the copyright notice that appears at the bottom of each slide;
 - ii. retains this statement; and
 - iii. attributes the presentation, or the portion used, to “MLPB”

Questions?
