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Joseph Gallant
Secretary
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Fax 97- 43
Field Operations Memo 97-23
March 26, 1997

To: Local Office Staff

From:  **Joyce Sampson**
Assistant Commissioner for Field Operations

Re: Denial of EA Benefits for EA Households Evicted From Public or Subsidized Housing for Nonpayment of Rent

Overview

In August 1995, the Department was sued in the Dowell v. Gallant case and subsequently enjoined from enforcing its regulation denying EA to households evicted from public or subsidized housing for nonpayment of rent. After the Department's appeal, the Supreme Judicial Court recently found in favor of the Department, allowing the regulation to be implemented.

**Instructions for
Local Office
Workers**

Effective March 27, 1997:

- Workers must begin implementing the EA regulation 106 CMR 309.040(A)(1)(c) by denying EA applications of households evicted from public or subsidized housing for nonpayment of rent.
- Families evicted from public or subsidized housing for nonpayment of rent whose application for EA shelter benefits was approved prior to March 27, 1997 remain eligible.

Questions

If you have any questions, have your Hotline designee call the Policy Hotline at (617) 348-8478.
