

Legal Assistance for Seniors

LAS provides many free legal services, including counseling on health insurance issues through HICAP, the Health Insurance Counseling and Advocacy Program



Legal Assistance for Seniors (LAS)

- Alameda County based nonprofit serving older adults with legal services, Medicare counseling (HICAP) and community education, reaching over 10,000 older adults per year.
- Started in 2017, LAS Housing Program focuses on providing older adult tenants and homeowners with legal representation and community education regarding their rights and responsibilities.
- Serving older adults in this area means: one on one representation; home visits; strong collaboration with other service providers to address the multiple/complex needs.

Why are legal housing protections tailored to older adults are so critical?

- A recent case highlights the growing need for interventions:
 - Older couple, in their 70s are long time renters of an apartment. Wife suffers a medical emergency that required extended hospital stay. The couple began having trouble covering their rent. Husband ignored notices and warnings that they were going to be evicted. Family members assured the couple would be taken care of in the event of eviction. Believing they had a place to go, couple defaulted on the unlawful detainer action and were displaced. When they went to family expecting a place to stay, they were turned away with family stating it would be too much of a burden. With nowhere to go, they ended up homeless.
 - Many points of intervention in this example. The earlier interventions are applied, the easier and more effective the solutions will be, ensuring minimal impact of the health and well-being of the couple.

Why Prevention Matters

The economic math does not make sense in the Bay Area (True for either homeowners or renters)

- 1 in 4 older adults earn less than 200%.
- Cost of living in the Bay Area - 49% of single older adult households and 21% of older adult couple households lack the income to cover basic living expenses.
- Supporting others with their limited assets.

The situation is a full-blown crisis

- Roughly 50% of the homeless population is now 50 years old and older, with nearly 50% being first time homeless.
- Senior homelessness on the rise.
- Devastating impacts on the health and well-being of older adults.

Many older adults' limited ability to pivot quickly in the face of crisis (physical, financial, etc.)

- Once the crisis has hit, very hard time correcting course.
- Outcome of the crisis often catastrophic (health outcomes).
- Keeping someone housed more effective intervention than trying to get an older adult off the streets.
- Permanent supportive housing is working to end chronic homelessness; but, without "closing the front door" and preventing housing loss/displacement, we won't end homelessness (Kushel).

What are Effective Preventative Measures?

- For older adults, effective prevention means more than preserving the four walls.
- “Whatever it takes” perspective; interventions moved far upstream as possible.
- Legal interventions
 - Individualized service is critical including home visits. The clinic model will not work for older adults
 - Documents ready and available asap!
 - Start the conversation before lawsuit filed
- Case Management, ongoing supports address issues that trigger displacement.
 - Be aware of the impact of Behavioral Stipulations
 - Long term case management needs to be an option. Additional resources needed that create flexible options like RRCM (longer term than APS, fall short of conservatorship)
 - Public Benefits Evaluation and high-touch Assistance
 - Quick Access to Emergency Funds
- If we are truly just talking about \$\$, let’s make it about \$\$\$. One time payments have been shown to be highly effective in preserving housing.

What are Effective Preventative Measures (cont.)

- Homeowners
 - Who owns the home? Is it in a trust?
 - If home is part of a trust, consult before acting
 - Education around additional sources of income (Risks and responsibilities)
 - Reverse Mortgages
 - Shared Housing
 - Public Benefits Access
 - Legal interventions when “tenant” situations arise, including ROs and mediation services
 - Flexible spending pool and lien restructuring(County Tax Lien)
 - Structural Improvements with Cultural Competence (HCD housing improvements with intergenerational perspective)
 - Supportive Services (case management, RRCM, POA/AHCD)