



Leasing and Utility Authority for Foster Youth

Mississippi currently has the age of majority set at 21 years old, restricting certain legal authorities for those between the ages of 18 and 21, including the ability to secure housing through a lease agreement. Yet, Mississippi begins releasing foster youth from care at age 18. This restriction limits these young adults from entering and holding lease agreements, thereby creating barriers to safe, stable housing. Youth leaving the foster care system without permanent family support must rely on others to provide them housing. This dependency puts these individuals at the mercy of others for their housing and at risk for trafficking, criminal activity, domestic violence, and undue control over their lives. Although those aged 18-21 years could be tried as adults, vote in elections and serve in the military, they have not been able to enter into leasing contracts, get married, or make medical decisions without parental consent or co-signing.

As part of the 2022 Mississippi Legislative session, House Bill 1313 granted authority for foster youth ages 18-21 to enter into their own utility, rental and leasing agreements. Details of the housing portion of the legislation are below.

Who is eligible?

1. Current and former foster youth now between the ages of 18-21 years, who were in custody of MDCPS or a qualified residential child care agency on or after their 13th birthday.

What does the bill authorize?

1. The right to hold leases for real property for the youth's actual residence.
2. The right to sign for utilities for the actual residence, including but not limited to, electricity, natural gas, propane, water, sewage, garbage disposal and internet services.
3. Eligible youth may be subject to all income, credit, and occupancy requirements set by the property manager for all tenants. (not precluded in the legislation).
4. Eligible youth may be subject to all costs associated with securing the lease such as down payments, security deposits, and other upfront fees (not precluded in the legislation).

Implementation Considerations:

1. Settling logistics to verify eligibility for youth
 - a. Considering a notarized form issued by MDCPS to designate youth when they reach age 18 years.
 - b. Verification contact within MDCPS for property managers/landlords.
 - c. Establishing and maintaining a confidential verification process for youth.
2. Establishing referrals to HUD FYI voucher programs and other emergency housing programs.
3. Leveraging apartment placement programs as a part of Extended Foster Care in Mississippi.
4. Educating housing authorities, management companies, and other entities providing access to housing.

To learn more, review the Conference Report for House Bill 1313 of the 2022 Legislative Session.
<http://www.legislature.ms.gov/legislation/>