HOUSE DOCKET, NO. 2824 FILED ON: 1/21/2011

HOUSE . . . . . No. 2130

The Commonwealth of Massachusetts

PRESENTED BY:

Carl M. Sciortino, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act to expand housing opportunities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Carl M. Sciortino, Jr.	*34th Middlesex*
Patricia D. Jehlen	☐ *[District]* ☐
David B. Sullivan	*6th Bristol*
Peter V. Kocot	*1st Hampshire*
Denise Provost	*27th Middlesex*
Alice K. Wolf	*25th Middlesex*
Timothy J. Toomey, Jr.	*26th Middlesex*
William N. Brownsberger	☐ *[District]* ☐
Benjamin Swan	*11th Hampden*
Jonathan Hecht	*29th Middlesex*
Linda Dorcena Forry	*12th Suffolk*

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HOUSE . . . . . No. 2130

By Mr. Sciortino of Medford, a petition (accompanied by bill, House, No. 2130) of Forry and others to expand housing opportunities for persons displaced by public action or natural disaster and persons who are homeless or facing imminent homelessness Joint Committee on Housing.

The Commonwealth of Massachusetts

An Act to expand housing opportunities.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, tenant selection plans for units with development or project-based subsidies which limit tenants' rental contributions to a percentage of household income shall include a tenant selection preference for homeless and imminently homeless families as defined below. The preference shall apply only to the extent consistent with any applicable federal requirements, in any rental housing financed or refinanced by public instrumentalities of the Commonwealth, including, but not limited to, those entities described in G.L. c. 23B, § 2(b), G.L. c. 23G, and Section 7 of chapter 708 of the Acts of 1966 as most recently amended,. As between applicants equally in need and eligible for occupancy of the unit, the preference shall apply to persons displaced by public action or natural disaster and persons who are homeless or facing imminent homelessness for reasons beyond the applicants' ability reasonably to control or prevent. For purposes of the preceding sentence, persons who are homeless or facing imminent homelessness for reasons beyond the applicant's ability reasonably to control or prevent shall include, but need not be limited to, those who both (a) are living in emergency shelter, on the street, in cars, in housing that is unsafe due to domestic violence or medical conditions, in other places not suitable for human habitation, in transitional housing, or in private market units made affordable only due to temporary rental subsidies or are within 90 days of having no identified, safe and affordable housing options and (b) either (i) have been displaced or are facing displacement by court-ordered eviction without fault, which shall include eviction for nonpayment of rent where the tenant's rent and shelter cost burden exceeded or exceeds fifty percent of adjusted income at the time of the eviction and where the nonpayment arose from changes in circumstances which were beyond the tenant's ability to prevent or control, such as departure of a household member, job loss or reduction of income, or illness or high medical costs; (ii) are victims of domestic violence who have been displaced or are at imminent risk of harm or displacement as a result of such violence, or (iii) are persons with medical emergencies or conditions who cannot be or could not be accommodated in

26 their existing or former housing or for whom lack of suitable housing is a significant impediment
27 to treatment or recovery.

28 SECTION 2. Subsection (r) of section 3 of chapter 23B of the General Laws is hereby
29 amended by adding the following additional words: - provided further, however, that a
30 household that otherwise qualifies for any preference or priority for state subsidized housing or
31 rental assistance based on homeless or at-risk status shall retain that preference or priority
32 notwithstanding receipt of rental assistance that is intended to be temporary, including, but not
33 limited to, any temporary or bridge subsidies provided with state, federal or local funds and the
34 department shall incorporate this policy into its regulations governing tenant selection criteria.