

**HOUSE . . . . . No. 3903**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Kevin G. Honan**

*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 bill:

An Act relative to development of local housing authority surplus land.

PETITION OF:

NAME:

Kevin G. Honan

DISTRICT/ADDRESS:

17th Suffolk

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO DEVELOPMENT OF LOCAL HOUSING AUTHORITY SURPLUS LAND.

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

1 SECTION 1. The department of housing and community development shall implement a 5 year  
2 demonstration program to provide grants for the development of underutilized and surplus land  
3 owned by local housing authorities; provided further, that housing authorities with state-aided  
4 housing developments pursuant to chapter 200 of the acts of 1948, chapter 667 of the acts of  
5 1954 or chapter 705 of the acts of 1966 shall be eligible to participate in demonstration program;  
6 provided further, that the department shall establish a 5 member advisory committee, to consist  
7 of the director of the department or his designee, 1 member selected by the Massachusetts  
8 Chapter of the National Association of Housing and Redevelopment Officials, 1 member  
9 selected by the Massachusetts Union of Public Housing Tenants and 3 additional members  
10 chosen by the department to provide advice and recommendations to the department regarding  
11 regulations to implement the demonstration program; provided further, that grants shall be  
12 awarded on a competitive basis; provided further, that the department may provide to recipients  
13 of demonstration grants such additional regulatory relief as is required to further the objectives of  
14 the demonstration program; provided further, that funds shall be made available for technical  
15 assistance provided by the Massachusetts Housing Partnership Fund established pursuant to

16 section 35 of chapter 405 of the acts of 1985 to recipients of demonstration grants and for  
17 evaluation of the demonstration; provided further, that the department shall promulgate  
18 regulations for the implementation, administration and enforcement of this item within 90 days  
19 after the effective date of this act; provided, however, that the regulations shall: (i) survey  
20 housing authorities for the availability of surplus and underutilized land; (ii) solicit proposals that  
21 propose new affordable housing units on surplus or underutilized public housing sites or other  
22 land owned by the housing authority; and (iii) provide for incentives for the development of  
23 surplus and underutilized land and provided further, that the department shall report to the house  
24 and senate committees on ways and means and the joint committee on housing on the progress of  
25 the demonstration program within 90 days after promulgation of the regulations and annually  
26 thereafter.

27 SECTION 2. Section 2 of chapter 119 of the acts of 2008 is hereby amended by striking out  
28 Item 7004-0033 and inserting in place thereof the following section:-

29 7004-0033. For the purpose of state financial assistance in the form of grants for projects  
30 undertaken pursuant to clause (j) of section 26 of chapter 121B of the General Laws; provided,  
31 that contracts entered into by the department of housing and community development for those  
32 projects may include, but shall not be limited to, projects providing for renovation, remodeling,  
33 reconstruction, redevelopment and hazardous material abatement, including asbestos and lead  
34 paint, and for compliance with state codes and laws and for adaptations necessary for compliance  
35 with the Americans with Disabilities Act, the provision of day care facilities, learning centers  
36 and teen service centers and the adaptation of units for families and persons with disabilities;  
37 provided further, that priority shall be given to projects undertaken for the purpose of compliance  
38 with state codes and laws or for other purposes related to the health and safety of residents;

39 provided further, that funds may be expended from this item to make such modifications to  
40 congregate housing units as may be necessary to increase the occupancy rate of those units;  
41 provided further, that the department, in consultation with housing authorities, may establish a  
42 program to provide predictable funds to be used flexibly by housing authorities for capital  
43 improvements to extend the useful life of state-assisted public housing; provided further that not  
44 less than \$50,000,000 shall be expended for a 5 year demonstration program to provide grants  
45 for the development of underutilized and surplus land owned by local housing authorities  
46 provided further, that not less than 25 per cent shall be used to fund projects which preserve or  
47 produce housing for families and individuals with incomes of not more than 30 per cent of the  
48 area median income, as defined by the United States Department of Housing and Urban  
49 Development; and provided further, that a capital reserve account shall be administered by the  
50 department..... \$500,000,000.