HOUSE DOCKET, NO. 871 FILED ON: 1/19/2011

HOUSE . . . . . No. 365

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 adoption of the accompanying bill:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kevin G. Honan	*17th Suffolk*
Frank I. Smizik	*15th Norfolk*
Thomas P. Kennedy	
Denise Provost	*27th Middlesex*

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HOUSE . . . . . No. 365

By Mr. Honan of Boston, a petition (accompanied by bill, House, No. 365) of Kevin G. Honan and others relative to development of local housing authority surplus land. Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *3903* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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:

SECTION 1. The department of housing and community development shall implement a 5 year demonstration program to provide grants for the development of underutilized and surplus land owned by local housing authorities; provided further, that housing authorities with state-aided housing developments pursuant to chapter 200 of the acts of 1948, chapter 667 of the acts of 1954 or chapter 705 of the acts of 1966 shall be eligible to participate in demonstration program; provided further, that the department shall establish a 5 member advisory committee, to consist of the director of the department or his designee, 1 member selected by the Massachusetts Chapter of the National Association of Housing and Redevelopment Officials, 1 member selected by the Massachusetts Union of Public Housing Tenants and 3 additional members chosen by the department to provide advice and recommendations to the department regarding 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
28 out 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.