

**SENATE . . . . . No. 613**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Richard T. Moore***

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*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 the protection of low income elderly housing.

\_\_\_\_\_

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Richard T. Moore*

**SENATE . . . . . No. 613**

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By Mr. Moore, petition (accompanied by bill, Senate, No. 613) of Moore for legislation relative to the protection of low income elderly housing [Joint Committee on Housing].

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
\_\_\_\_\_

An act relative to the protection of low income elderly housing.

*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 third paragraph of section 39 of chapter 121B of the General  
2 Laws, as so appearing, is hereby amended by striking out, in lines 34 through 50, inclusive, as so  
3 appearing, the words “Notwithstanding any general or special law to the contrary, a housing  
4 authority which manages units provided under this section and section forty shall give priority in  
5 placement to non-elderly handicapped persons of low income, who are eligible to receive such  
6 housing and who are qualified under the criteria established in regulations promulgated by the  
7 department, in thirteen and one-half percent of said units. If a local housing authority determines  
8 that there are insufficient numbers of eligible and qualified non-elderly handicapped persons of  
9 low income to fill thirteen and one-half percent of the housing units, the local housing authority  
10 shall then place eligible and qualified elderly persons of low income in said units. The thirteen  
11 and one-half percent of units for which eligible and qualified non-elderly handicapped persons of  
12 low income receive priority in placement shall include the percentage of units for which  
13 handicapped persons of low income without regard to age, and their families, are given priority

14 pursuant to subsection (f) of section forty, when such units are occupied by non-elderly  
15 handicapped persons of low income.”

16 SECTION 2. Said section 39 of chapter 121B is hereby further amended in line  
17 55, by striking the words “in eighty-six and one half percent of said units”

18 SECTION 3. Said section 39 of chapter 121B is hereby further amended in line  
19 58, by striking the words “eighty-six and one-half percent of”

20 SECTION 4. Sais section 39 of chapter 121B is hereby further amended in line  
21 67, by striking the words “and section forty to fill eighty-six and one-half percent of said units”

22 SECTION 5. Said section 39 of chapter 121B is hereby further amended in line  
23 89, by striking the word “and,” through line 105, inclusive, as so appearing, the words “and may  
24 establish placement ratios among elderly persons of low income and non-elderly handicapped  
25 persons of low income to provide for an equitable transition to encourage the percentage policy  
26 objectives stated herein for said persons of low income. Until such time that said percentage  
27 policy objectives, stated herein, are substantially met, said placement ratios shall not be less than  
28 one elderly person of low income for each placement of one non-elderly handicapped person of  
29 low income. Said placement ratios shall only be implemented at local housing authorities where  
30 non-elderly handicapped persons of low income represent less than thirteen and one-half percent  
31 of the total residents at said authority; provided, that said placement ratios shall not be  
32 implemented at any local housing authority where non-elderly handicapped persons of low  
33 income represent greater than thirteen and one-half percent of the total residents. The priorities in  
34 placement established herein shall not be implemented by local housing authorities until such  
35 rules and regulations have been promulgated”