

HOUSE No. 177

The Commonwealth of Massachusetts

PRESENTED BY:

Antonio F. D. Cabral

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 neighborhood stabilization and economic development.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------------|-----------------------|------------------|
| <i>Antonio F. D. Cabral</i> | <i>13th Bristol</i> | <i>1/17/2019</i> |
| <i>Natalie M. Blais</i> | <i>1st Franklin</i> | <i>1/28/2019</i> |
| <i>Daniel Cahill</i> | <i>10th Essex</i> | <i>1/30/2019</i> |
| <i>Linda Dean Campbell</i> | <i>15th Essex</i> | <i>1/28/2019</i> |
| <i>Peter Capano</i> | <i>11th Essex</i> | <i>2/1/2019</i> |
| <i>Gerard J. Cassidy</i> | <i>9th Plymouth</i> | <i>1/29/2019</i> |
| <i>Brendan P. Crighton</i> | <i>Third Essex</i> | <i>2/1/2019</i> |
| <i>Claire D. Cronin</i> | <i>11th Plymouth</i> | <i>2/1/2019</i> |
| <i>Daniel M. Donahue</i> | <i>16th Worcester</i> | <i>1/30/2019</i> |
| <i>Tricia Farley-Bouvier</i> | <i>3rd Berkshire</i> | <i>1/31/2019</i> |
| <i>Carole A. Fiola</i> | <i>6th Bristol</i> | <i>1/30/2019</i> |
| <i>Carlos González</i> | <i>10th Hampden</i> | <i>1/30/2019</i> |
| <i>James K. Hawkins</i> | <i>2nd Bristol</i> | <i>2/1/2019</i> |
| <i>Stephan Hay</i> | <i>3rd Worcester</i> | <i>1/24/2019</i> |
| <i>Christopher Hendricks</i> | <i>11th Bristol</i> | <i>1/29/2019</i> |
| <i>Natalie M. Higgins</i> | <i>4th Worcester</i> | <i>1/31/2019</i> |
| <i>Mary S. Keefe</i> | <i>15th Worcester</i> | <i>1/30/2019</i> |
| <i>David Henry Argosky LeBoeuf</i> | <i>17th Worcester</i> | <i>1/23/2019</i> |

| | | |
|---------------------------------|------------------------------------|------------------|
| <i>Eric P. Lesser</i> | <i>First Hampden and Hampshire</i> | <i>2/1/2019</i> |
| <i>Adrian C. Madaro</i> | <i>1st Suffolk</i> | <i>1/31/2019</i> |
| <i>Paul W. Mark</i> | <i>2nd Berkshire</i> | <i>2/1/2019</i> |
| <i>Joseph W. McGonagle, Jr.</i> | <i>28th Middlesex</i> | <i>1/29/2019</i> |
| <i>Christina A. Minicucci</i> | <i>14th Essex</i> | <i>1/31/2019</i> |
| <i>Frank A. Moran</i> | <i>17th Essex</i> | <i>2/1/2019</i> |
| <i>Smitty Pignatelli</i> | <i>4th Berkshire</i> | <i>2/1/2019</i> |
| <i>Paul A. Schmid, III</i> | <i>8th Bristol</i> | <i>1/30/2019</i> |
| <i>Alan Silvia</i> | <i>7th Bristol</i> | <i>1/31/2019</i> |
| <i>William M. Straus</i> | <i>10th Bristol</i> | <i>1/31/2019</i> |
| <i>José F. Tosado</i> | <i>9th Hampden</i> | <i>1/25/2019</i> |
| <i>Paul F. Tucker</i> | <i>7th Essex</i> | <i>1/31/2019</i> |
| <i>Andres X. Vargas</i> | <i>3rd Essex</i> | <i>1/31/2019</i> |
| <i>Aaron Vega</i> | <i>5th Hampden</i> | <i>1/23/2019</i> |
| <i>Bud L. Williams</i> | <i>11th Hampden</i> | <i>2/1/2019</i> |
| <i>Donald H. Wong</i> | <i>9th Essex</i> | <i>2/1/2019</i> |

HOUSE No. 177

By Mr. Cabral of New Bedford, a petition (accompanied by bill, House, No. 177) of Antonio F. D. Cabral and others relative to urban renewal and economic development in the Commonwealth. Community Development and Small Businesses.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to neighborhood stabilization and economic development.

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.Paragraph (5) of subsection (q) of section 6 of chapter 62 of the General
2 Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out, in lines 889
3 and 895, the figures “\$10,000,000” and inserting in place thereof the figures “\$20,000,000”.

4 SECTION 2.Subsection (5) of section 38BB of chapter 63 of the General Laws, as so
5 appearing, is hereby amended by striking out, in lines 44 and 50, the figures “\$10,000,000” and
6 inserting in place thereof the figures “\$20,000,000”.

7 SECTION 3.Section 3 of chapter 70B of the General Laws, as so appearing, is hereby
8 amended by inserting after the colon, in line 21, the following words:—“neighborhood
9 stabilization.”.

10 SECTION 4.chapter 121A of the General Laws is hereby amended by adding the
11 following section:—

12 Section 20. Notwithstanding any other requirements in this chapter, there shall be a “spot
13 blight rehabilitation program.” Pursuant to this program, a community development corporation,
14 certified under chapter 40H of the General Laws; or a bona-fide community based non-profit
15 organization, established under chapter 180 of the General Laws, may sponsor an application to
16 DHCD to create a “spot blight 121a corporation,” specifically for the purpose of rehabilitating
17 small scale residential projects, as defined herein. For purposes of this section, “small scale
18 residential projects” means a project consisting of one or more structures consisting of 1-4
19 residential homes, located in one or more municipalities, which may or may not be adjacent to
20 one another.

21 The application process shall include:

22 (1) The applicant shall submit a plan to DHCD that indicates the small scale residential
23 properties that are decadent.

24 (2)The applicant shall provide a list of such decadent properties by indicating the street
25 address, or a clear delineation of the property boundaries, pursuant to regulations established by
26 DHCD. The governing body of the municipality shall hold a public hearing. Regulations shall be
27 promulgated by December 31, 2019.

28 (3) At least 14 days before the day of the hearing, the governing body of the municipality
29 shall mail a notice to each owner by certified mail. The assessors of the city or town in which the
30 property of such owner lies shall certify to the governing board the name and address of such
31 owner as it appears on the tax list, and notice mailed to the name and address certified will be
32 sufficient notice to such owner.

33 (4) The municipality shall determine that blighted open or decadent or sub-standard
34 conditions exist within the proposed project area; whether or not the proposed project conflicts
35 with the master plan of the city or town made by authority of chapter for 41, if such a plan has
36 been made, determine whether such project would be in any way detrimental to the best interests
37 of the public or the city or town or to the public safety and convenience or be inconsistent with
38 the most suitable development of the city or town; whether the proposed project will constitute a
39 public use and benefit; and approve, disapprove with recommended modifications or disapprove
40 the application and issue its report as hereinafter provided.

41 (5) To determine fair market value for the purpose of this section, the appraiser shall
42 determine both (a) the cost to rehabilitate the building or, if rehabilitation is not feasible, the cost
43 to demolish the property and build a similar property on the site; and (b) the market value of the
44 rehabilitated, or newly constructed, building. If the value of (a) is greater than that of (b), the fair
45 market value is presumed to be \$0.

46 (6) Spot blight 121A corporations may elect to forego the taxation exemptions in section
47 10.

48 SECTION 5. There shall be a commission to study strategies to improve the quality of the
49 housing stock in weak markets with the goal of making these properties safer, more accessible to
50 residents with disabilities, and more resilient to climate change. The commission's review shall
51 include, but not be limited to---the use of guidance documents to consistently grant relief from
52 building codes in common circumstances where appropriate; provisions to reduce the time and
53 cost associated with obtaining variances in circumstances that are consistent with these guidance
54 documents; dissemination of creative strategies to use new technologies to address common

55 challenges bringing older structures up to code; the deployment of energy efficiency programs,
56 Home Modifications Grants, elevator and sprinkler funds, and other resources to help building
57 rehab projects in weak markets meet health and safety standards.

58 The commission shall consist of: 2 members of the Senate, 1 of whom shall represent a
59 Gateway Municipality as defined in section 3A of chapter 23A of the General Laws and shall
60 serve as co-chair; 2 members of the House of Representatives, 1 of whom shall represent a
61 Gateway Municipality and shall serve as co-chair; 2 members appointed by the governor, 1 of
62 whom shall represent the Massachusetts Association of Community Development Corporations;
63 and 1 of whom shall represent the Rural Policy Advisory Commission; and 6 members appointed
64 by the Secretary of Housing and Economic Development: one of the appointive members shall
65 be an architect licensed to practice in the commonwealth; one of the appointive members shall be
66 a licensed building inspector; one of the appointive members shall be a Gateway Municipality
67 housing director; one of the appointive members shall be a fire official from a Gateway
68 Municipality; 2 of the appointive members shall be selected after consultation with advocacy
69 groups on behalf of persons with disabilities. The commission shall file a report of its findings
70 and recommendations, including, but not limited to, legislative, regulatory, and procedural
71 changes, with the clerks of the senate and House of Representatives, the chairs of the joint
72 committee on housing not later than December 31, 2019.

73 SECTION 6. The Executive Office of Housing and Economic Development shall
74 establish a capacity building initiative to assist cities and towns initiating new neighborhood
75 stabilization programs and practices, including, but not limited to rental licensing, inspection,
76 and code enforcement; urban renewal corporations; property disposition and land banking;
77 healthy home improvements; and other housing rehabilitation practices.