

SENATE No. 1627

The Commonwealth of Massachusetts

PRESENTED BY:

Brendan P. Crighton

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:	
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>1/30/2019</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>	<i>1/30/2019</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>1/30/2019</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>1/30/2019</i>
<i>Edward J. Kennedy</i>	<i>First Middlesex</i>	<i>1/30/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>1/31/2019</i>
<i>Dean A. Tran</i>	<i>Worcester and Middlesex</i>	<i>1/31/2019</i>
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	<i>2/1/2019</i>
<i>Donald H. Wong</i>	<i>9th Essex</i>	<i>2/1/2019</i>
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>	<i>2/1/2019</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>2/1/2019</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>	<i>2/1/2019</i>
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>	<i>2/1/2019</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>	<i>2/1/2019</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>2/1/2019</i>
<i>James T. Welch</i>	<i>Hampden</i>	<i>2/11/2019</i>

Daniel J. Ryan
Nick Collins

2nd Suffolk
First Suffolk

2/11/2019
2/27/2019

SENATE No. 1627

By Mr. Crighton, a petition (accompanied by bill, Senate, No. 1627) of Brendan P. Crighton, Michael D. Brady, Daniel Cahill, Mary S. Keefe and other members of the General Court for legislation relative to neighborhood stabilization and economic development. Revenue.

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” are projects consisting of one or more structures consisting of 1-4 residential
19 homes, located in one or more municipalities, which may or may not be adjacent to one another.

20 The application process shall include:

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

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

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

32 (4) The municipality shall determine that blighted open or decadent or sub-standard
33 conditions exist within the proposed project area; whether or not the proposed project conflicts

34 with the master plan of the city or town made by authority of chapter forty-one, if such a plan has
35 been made, determine whether or not such project would be in any way detrimental to the best
36 interests of the public or the city or town or to the public safety and convenience or be
37 inconsistent with the most suitable development of the city or town; whether or not the proposed
38 project will constitute a public use and benefit; and approve, disapprove with recommended
39 modifications or disapprove the application and issue its report as hereinafter provided.

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

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

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

55 programs, Home Modifications Grants, elevator and sprinkler funds, and other resources to help
56 building rehab projects in weak markets meet health and safety standards.

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

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