SENATE DOCKET, NO. 864 FILED ON: 1/16/2019

SENATE . . . . . No. 797

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 Massachusetts Rental Voucher Program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
James B. Eldridge	*Middlesex and Worcester*	
Harriette L. Chandler	*First Worcester*	*1/28/2019*
Jason M. Lewis	*Fifth Middlesex*	*1/28/2019*
Mike Connolly	*26th Middlesex*	*1/28/2019*
John J. Lawn, Jr.	*10th Middlesex*	*1/29/2019*
Michael J. Barrett	*Third Middlesex*	*1/29/2019*
Kay Khan	*11th Middlesex*	*1/30/2019*
Thomas M. Stanley	*9th Middlesex*	*1/30/2019*
James T. Welch	*Hampden*	*1/30/2019*
Sal N. DiDomenico	*Middlesex and Suffolk*	*1/30/2019*
Jennifer E. Benson	*37th Middlesex*	*1/31/2019*
Paul R. Feeney	*Bristol and Norfolk*	*1/31/2019*
Mary S. Keefe	*15th Worcester*	*1/31/2019*
Jack Patrick Lewis	*7th Middlesex*	*1/31/2019*
Denise Provost	*27th Middlesex*	*1/31/2019*
Patricia D. Jehlen	*Second Middlesex*	*1/31/2019*
Diana DiZoglio	*First Essex*	*1/31/2019*
Joanne M. Comerford	*Hampshire, Franklin and Worcester*	*1/31/2019*

Elizabeth A. Malia	*11th Suffolk*	*2/1/2019*
Michael O. Moore	*Second Worcester*	*2/1/2019*
Steven Ultrino	*33rd Middlesex*	*2/7/2019*
Tram T. Nguyen	*18th Essex*	*2/14/2019*
Walter F. Timilty	*Norfolk, Bristol and Plymouth*	*3/1/2019*
David Biele	*4th Suffolk*	*3/27/2019*

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By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 797) of James B. Eldridge, Harriette L. Chandler, Jason M. Lewis, Mike Connolly and other members of the General Court for legislation relative to the Massachusetts Rental Voucher Program. Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *719* OF 2017-2018.]

The Commonwealth of Massachusetts

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

An Act relative to the Massachusetts Rental Voucher Program.

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. Chapter 121B of the General Laws is hereby amended by adding the following section:-

Section 61. Massachusetts Rental Voucher Program

(a) The department shall, subject to appropriation, establish and administer through administering agencies ,the Massachusetts Rental Voucher Program also known as MRVP, a program of rental assistance for eligible low-income, very low-income, and extremely low-income households through mobile and project-based vouchers for the purpose of obtaining decent, stable, and affordable housing and promoting economically mixed housing.

(b) To be eligible to receive assistance under this section, a household shall have a net income that does not exceed 80 percent of the area median income, as determined by the U.S. Department of Housing and Urban Development. The department may award mobile vouchers to eligible households occupying MRVP project-based units that shall expire due to the nonrenewal of project-based rental assistance contracts. Households shall meet eligibility requirements as required in this section and applicable regulations and guidance issued by the department. Not less than 75 percent of the vouchers shall be targeted to households whose income at initial occupancy does not exceed 30 percent of the area median income.

(c) A payment standard is the amount used by an administering agency to calculate the maximum amount of the MRVP subsidy. Except as provided under paragraph (d), the payment standard for each size of a dwelling unit in a market area shall not exceed 110 percent of the fair market rent, or Small Area Fair Market Rent as established annually by the U.S. Department of Housing and Urban Development, for the same size of dwelling unit in the same market area and shall be not less than 100 percent of that fair market rent, except that no administering agency shall be required as a result of a reduction in the fair market rent to reduce the payment standard applied to a household continuing to reside in a unit for which the household was receiving assistance under this section at the time the fair market rent was reduced. The department shall allow administering agencies to request exception payment standards within fair market rental areas subject to criteria and procedures established by the department.

(d) The department may require an administering agency to submit the payment standard of the administering agency to the department for approval, if the payment standard is less than 100 percent of the fair market rent or exceeds 110 percent of the fair market rent, except that an administering agency may establish a payment standard of not more than 120 percent of the fair

market rent where necessary as a reasonable accommodation for a person with a disability, without approval of the department. An administering agency may use a payment standard that is greater than 120 percent of the fair market rent as a reasonable accommodation for a person with a disability, but only with the approval of the department. In connection with the use of any increased payment standard established or approved pursuant to either of the preceding two sentences as a reasonable accommodation for a person with a disability, the department may not establish additional requirements regarding the amount of adjusted income paid by such person for rent.

(e) A household that receives tenant-based assistance under this section, with respect to any dwelling unit, shall not pay for rent more than forty per cent of the monthly adjusted net income of the household. The department may adjust household rent for those paying separately for utilities.

(f) The rent for dwelling units for which a housing assistance payment contract is established under this subsection shall be reasonable in comparison with rents charged for comparable dwelling units in the private, unassisted local market.

(g) For each dwelling unit for which a housing assistance payment contract is established under this section, the administering agency shall inspect the unit before any assistance payment is made to determine whether the dwelling unit meets the minimum standards of fitness for human habitation as required by the State Sanitary Code. These requirements cannot be waived. Each administering agency providing assistance under this section shall, for each assisted dwelling unit, make inspection not less often than biennially during the term of the housing

assistance payments contract for the unit to determine whether the unit is maintained in accordance with the requirements of this paragraph.

(h) Effective as of January 1, 2021, the monthly administrative fee for all vouchers administered under this section shall be not less than $80.00 per voucher, per month.

(i) The department shall maintain and administer a single voucher management system and shall collect data on the utilization of rental vouchers in each fiscal year under this program. This data shall include, but not be limited to, the location and value of each voucher-assisted unit, the number and average value of mobile and project-based r vouchers currently distributed in the Commonwealth, in each county, and in each municipality, the household size, age of the head of household and each member of the household, the race and ethnicity of each household, the income and course of income of each household. The department shall report to the House and Senate Committees on Ways and Means and Joint Committee on Housing annually on the utilization of rental vouchers in each fiscal year under this program. The department shall collect and report on the data collection as required under Chapter 334 of the Acts of 2006.

(j) The department shall promulgate regulations and guidance to implement this section no later than June 30, 2020.