

HOUSE No. 4850

The Commonwealth of Massachusetts

PRESENTED BY:

James J. O'Day

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 certain affordable housing in the city of Worcester.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>5/13/2022</i>

HOUSE No. 4850

By Mr. O'Day of West Boylston, a petition (subject to Joint Rule 12) of James J. O'Day (with the approval of the city council) relative to the redevelopment by the Worcester Housing Authority of the state funded public housing project known as Curtis Apartments in the city of Worcester. Housing. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to certain affordable housing in the city of Worcester.

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. Construction and development activity related to redevelopment by the
2 Worcester Housing Authority of the state funded public housing project known as Curtis
3 Apartments, at 32 Great Brook Valley Avenue, Worcester, Massachusetts or any part thereof,
4 shall not be subject to any general or special law related to the procurement and award of
5 contracts for the planning, design, construction management, construction, reconstruction,
6 installation, demolition, maintenance, or repair of buildings by a public agency but shall be
7 subject to section 26 to 27H, inclusive, of chapter 149 of the General Laws. Contracts for the
8 construction, reconstruction, alteration, remodeling, or repair of any publicly owned public
9 works that service this project and would otherwise be subject to section 39M of chapter 30 of
10 the General Laws shall be subject to said section 39M if the redevelopment of the project is
11 funded in part by a state or federal low-income housing tax credit, grant, or loan, or pursuant to
12 the issuance of tax-exempt bonds authorized by general law. The redevelopment of the project

13 may be conducted through one or more phases through one or more entities. All phases taken
14 together shall preserve or construct public housing units equal in number to the public housing
15 units located at Curtis Apartments as of the effective date of this act. Each individual phase shall
16 include such portion of the total public housing units as required by the Worcester Housing
17 Authority and the department of housing and community development. A conveyance of the
18 project or any phase thereof, whether by leasehold or fee estate, shall be subject to chapter 30B
19 of the General Laws of the extent that the project or phase is conveyed to an entity that is not
20 owned, controlled or managed by the Worcester Housing Authority on the date of conveyance.
21 Subject to compliance with the requirements of chapter 30B, the project or any phase thereof
22 may be conveyed to and may be owned, maintained and operated by an entity that is not owned,
23 controlled or managed by the Worcester Housing Authority provided that such entity enters into
24 a binding legal contract and land use restriction with the Worcester Housing Authority and with
25 the department of community development that requires such entity to preserve or construct the
26 required portion of public housing units for that phase and operate such units subject to
27 compliance with chapter 121B of the General Laws and 760 CMR §§ 4.00 et seq., 5.00 et seq.
28 and 6.00 et seq in the same manner and to the same effect as if such entity were a housing
29 authority, subject to such regulatory waivers given by the department of housing and community
30 development necessary to secure funding.

31 SECTION 2. This act shall take effect upon its passage.