

SENATE No. 898

The Commonwealth of Massachusetts

PRESENTED BY:

Joan B. Lovely

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: | |
|-------------------------------|---|------------------|
| <i>Joan B. Lovely</i> | <i>Second Essex</i> | |
| <i>Diana DiZoglio</i> | <i>First Essex</i> | <i>2/25/2021</i> |
| <i>Jack Patrick Lewis</i> | <i>7th Middlesex</i> | <i>2/26/2021</i> |
| <i>Paul F. Tucker</i> | <i>7th Essex</i> | <i>2/26/2021</i> |
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> | <i>2/26/2021</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>3/1/2021</i> |
| <i>Joanne M. Comerford</i> | <i>Hampshire, Franklin and Worcester</i> | <i>3/8/2021</i> |
| <i>Adam G. Hinds</i> | <i>Berkshire, Hampshire, Franklin and Hampden</i> | <i>3/9/2021</i> |
| <i>Nick Collins</i> | <i>First Suffolk</i> | <i>3/11/2021</i> |
| <i>Erika Uytterhoeven</i> | <i>27th Middlesex</i> | <i>3/15/2021</i> |
| <i>Walter F. Timilty</i> | <i>Norfolk, Bristol and Plymouth</i> | <i>3/17/2021</i> |
| <i>Sal N. DiDomenico</i> | <i>Middlesex and Suffolk</i> | <i>3/31/2021</i> |
| <i>Brendan P. Crighton</i> | <i>Third Essex</i> | <i>4/27/2021</i> |
| <i>Susannah M. Whipps</i> | <i>2nd Franklin</i> | <i>5/3/2021</i> |
| <i>John C. Velis</i> | <i>Second Hampden and Hampshire</i> | <i>7/26/2021</i> |
| <i>Mathew J. Muratore</i> | <i>1st Plymouth</i> | <i>8/10/2021</i> |
| <i>Christina A. Minicucci</i> | <i>14th Essex</i> | <i>8/10/2021</i> |

| | | |
|-------------------------|--------------------------------|------------------|
| <i>John J. Cronin</i> | <i>Worcester and Middlesex</i> | <i>8/23/2021</i> |
| <i>Adam Gomez</i> | <i>Hampden</i> | <i>8/23/2021</i> |
| <i>Paul R. Feeney</i> | <i>Bristol and Norfolk</i> | <i>9/23/2021</i> |
| <i>Sonia Chang-Diaz</i> | <i>Second Suffolk</i> | <i>2/1/2022</i> |

SENATE No. 898

By Ms. Lovely, a petition (accompanied by bill, Senate, No. 898) of Joan B. Lovely, Diana DiZoglio, Jack Patrick Lewis, Paul F. Tucker and other members of the General Court for legislation relative to the Massachusetts rental voucher program. Housing.

The Commonwealth of Massachusetts

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

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:

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

2 Section 61. (a) The department shall, subject to appropriation, establish and administer
3 through administering agencies the Massachusetts Rental Voucher Program also known as
4 MRVP, a program of rental assistance for eligible low-income, very low-income, and extremely
5 low-income households through mobile and project-based vouchers for the purpose of obtaining
6 decent, stable, and affordable housing and promoting economically mixed housing. The
7 department shall issue the number of vouchers reasonably anticipated to completely utilize but
8 not exceed the appropriation for this program; provided further, that the department shall
9 establish the amounts of the mobile and project-based vouchers so that the appropriation in this
10 item shall not be exceeded by payments for rental assistance and administration

11 (b) To be eligible to receive assistance under this section, a household shall have a net
12 income that does not exceed 80 percent of the area median income as determined by the U.S.

13 Department of Housing and Urban Development. The department may award mobile vouchers to
14 eligible households occupying MRVP project-based units that shall expire due to the nonrenewal
15 of project-based rental assistance contracts. Households shall meet eligibility requirements as
16 required in this section and applicable regulations and guidance issued by the department. Not
17 less than 75 percent of the vouchers shall be targeted to households whose income at initial
18 occupancy does not exceed 30 percent of the area median income.

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

30 (d) The department may require an administering agency to submit the payment standard
31 of the administering agency to the department for approval, if the payment standard is less than
32 100 percent of the fair market rent or exceeds 110 percent of the fair market rent, except that an
33 administering agency may establish a payment standard of not more than 120 percent of the fair
34 market rent where necessary as a reasonable accommodation for a person with a disability,
35 without approval of the department. An administering agency may use a payment standard that is

36 greater than 120 percent of the fair market rent as a reasonable accommodation for a person with
37 a disability, but only with the approval of the department. In connection with the use of any
38 increased payment standard established or approved pursuant to either of the preceding two
39 sentences as a reasonable accommodation for a person with a disability, the department may not
40 establish additional requirements regarding the amount of adjusted income paid by such person
41 for rent.

42 (e) A household that receives tenant-based assistance under this section, with respect to
43 any dwelling unit, shall not pay for rent more than 30 per cent of the monthly adjusted net
44 income of the household; except that households receiving tenant-based assistance under this
45 section may pay more than 30 per cent of the monthly adjusted net income of the household, at
46 their option, in excess of the payment standard for the voucher, provided that this amount may
47 not exceed 40 per cent of the monthly adjusted net income of the household in the first year of
48 occupancy; provided further that the department shall adjust household rent for those paying
49 separately for utilities

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

53 (g) For each dwelling unit for which a housing assistance payment contract is established
54 under this section, the administering agency shall inspect the unit before any assistance payment
55 is made to determine whether the dwelling unit meets the minimum standards of fitness for
56 human habitation as required by the State Sanitary Code. These requirements cannot be waived.
57 Each administering agency providing assistance under this section shall, for each assisted

58 dwelling unit, make inspection not less often than biennially during the term of the housing
59 assistance payments contract for the unit to determine whether the unit is maintained in
60 accordance with the requirements of this paragraph.

61 (h) Effective as of January 1, 2021, the monthly administrative fee for all vouchers
62 administered under this section shall be not less than the administrative fee rates for the Housing
63 Choice Voucher Program that the U.S. Department of Housing and Urban Development
64 establishes annually.

65 (i) The department shall maintain and administer a single voucher management system
66 and shall collect data on the utilization of rental vouchers in each fiscal year under this program.
67 These data shall include, but not be limited to, the location and value of each voucher-assisted
68 unit; the number and average value of mobile and project-based vouchers currently distributed in
69 the Commonwealth, in each county, and in each municipality; the household size, age of the
70 head of household and age of each member of the household; the race and ethnicity of each
71 household; and the income and source of income of each household. The department shall report
72 to the house and senate committees on ways and means and joint committee on housing annually
73 on the utilization of rental vouchers in each fiscal year under this program. The department shall
74 collect and report on the data collection as required under Chapter 334 of the Acts of 2006.

75 (j) The department shall promulgate regulations and guidance to implement this section.

76 (k) Any unspent funding appropriated for this program through budget line item 7004-
77 9024 in any fiscal year shall not revert to the general fund but shall remain available for the
78 purposes of this act in the following fiscal year.